



PHONE (850) 425-6654 FAX (850) 425-6694 WEB WWW.RADEYLAW.COM
MAIL POST OFFICE BOX 10967 | TALLAHASSEE, FL 32302 OFFICE 301 SOUTH BRONOUGH ST. | STE. 200 | TALLAHASSEE, FL 32301

e-Mail: tcrabb@radeylaw.com

November 19, 2021

VIA Electronic Filing to the Office of Commission Clerk

Attn: Kerri Maloy, Engineering Specialist
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Docket No. 20210095-WU - Application for transfer of water facilities of Sunshine Utilities of Central Florida, Inc. and Water Certificate No. 363-W to CSWR-Florida Utility Operating Company, LLC, in Marion County.

Dear Ms. Maloy:

Item 8 of Staff's deficiencies letter dated June 24, 2021, requested copies of all current permits issued to the Seller, Sunshine Utilities of Central Florida, Inc. ("Sunshine Utilities"), by the water management district ("WMD"). The Buyer, CSWR-Florida Utility Operating Company, LLC ("CSWR-FL"), has learned of the following consumptive use permits issued to Sunshine Utilities by the St. Johns River Water Management District:

Permit #	Project Name	Issue Date	Expiration Date
3131-3	Florida Heights	5/20/2020	5/19/2040
3013-4	Fore Oaks	5/22/2006	5/22/2026
3080-4	Oakhaven	11/18/2020	10/30/2040
3132-3	Oakhurst	8/24/2020	8/21/2040
3019-5	Ocala Heights	6/13/2019	6/13/2039
2996-4	Sunlight Acres	2/1/2018	2/1/2038
3130-3	Sunray Estates	8/21/2020	8/17/2040
6850-4	Whispering Sands	8/9/2006	8/9/2026
3093-4	Winding Waters	9/4/2001	9/4/2021
3093-5	Winding Waters	Renewal application pending	



Attached as Exhibit 1 are copies of the above-listed permits. CSWR-FL is aware of the requirement that it provide to the Commission copies of the applications required by the St. Johns River WMD for the transfer of these permits. CSWR-FL commits to meeting this requirement by filing with the Commission copies of the WMD transfer applications within sixty (60) days after closing. The WMD advises that it cannot process the transfer applications for these consumptive use permits until CSWR-FL's purchase of Sunshine Utilities has closed.

Thank you for the opportunity to submit additional information in support of the application. Please feel free to contact our office at your convenience with any additional questions or concerns.

Sincerely,

/s/ Thomas A. Crabb

Thomas A. Crabb
Attorney for Buyer CSWR-FL

cc: Anastacia Pirrello, Esq., Office of Public Counsel (pirrello.anastacia@leg.state.fl.us)
Thomas J. Dobbins (sunshineutl@aol.com)

Exhibit 1



St. Johns River Water Management District

Ann B. Shortelle, Ph.D., Executive Director

4049 Reid Street • P.O. Box 1429 • Palatka, FL 32178-1429 • (386) 329-4500
On the Internet at www.sjrwmd.com.

May 20, 2020

Dewaine Christmas
Sunshine Utilities of Central Florida Inc
10230 E Hwy 25
Bellevue, FL 34420-5531

SUBJECT: Florida Heights, Consumptive Use Permit Number 3131-3
Marion County, Florida

Dear Sir/Madam:

Enclosed is the permit authorized by the District on May 20, 2020. The enclosed permit is a legal document and should be kept with other important records. Please read the permit and conditions carefully because the referenced conditions may require submittal of additional information. Where possible, please submit all information required to comply with permit conditions electronically at www.sjrwmd.com/permitting via the District's e-Permitting portal.

Please be advised that the District will not publish a notice in the newspaper advising the public that the permit has been issued. Enclosed is information on publishing notice of the permit. If a newspaper notice is not published to close the point of entry, the time to challenge the issuance of the permit will not expire. A potential petitioner has 26 days from the date on which the actual notice is deposited in the mail, or 21 days from publication of this notice when actual notice is not provided, within which to file a petition for an administrative hearing pursuant to Sections 120.569 and 120.57, *Florida Statutes*. Receipt of such a petition by the District may result in this permit becoming null and void. Also, enclosed is a copy of the Notice of Rights.

If you have any questions concerning the permit, please contact Emily Wakley in the Maitland Service Center at (407) 659-4827

Sincerely,

A handwritten signature in black ink that reads "Rich Burklew".

Richard Burklew, Bureau Chief
Water Use Regulation

GOVERNING BOARD

Douglas Burnett, CHAIRMAN
ST. AUGUSTINE

Ron Howse, TREASURER
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Susan Dolan
SANFORD

ST. JOHNS RIVER WATER MANAGEMENT DISTRICT
Post Office Box 1429
Palatka, Florida 32178-1429

PERMIT NO: 3131-3

DATE ISSUED: May 20, 2020

PROJECT NAME: Florida Heights

A PERMIT AUTHORIZING:

The District authorizes, as limited by the attached permit conditions, the use of 11.0 million gallons per year (mgy) (0.03 million gallons per day (mgd), annual average) of groundwater from the Upper Floridan aquifer for the public supply use through 2040.

LOCATION:

Site: Florida Heights
Marion County

SECTION(S):
6

TOWNSHIP(S):
16S

RANGE(S):
23E

ISSUED TO:

Dewaine Christmas
Sunshine Utilities of Central Florida Inc
10230 E Hwy 25
Bellevue, FL 34420-5531

The permittee agrees to hold and save the St. Johns River Water Management District and its successors harmless from any and all damages, claims, or liabilities which may arise from permit issuance. Said application, including all plans and specifications attached thereto, is by reference made a part hereof.

This permit does not convey to the permittee any property rights nor any rights or privileges other than those specified herein, nor relieve the permittee from complying with any applicable local government, state, or federal, rule, or ordinance.

This permit may be revoked, modified or transferred at any time pursuant to the appropriate provisions of Chapter 373, Florida Statutes and 40C-1, Florida Administrative Code.

PERMIT IS CONDITIONED UPON:

See conditions on attached "Exhibit A", dated May 20, 2020

AUTHORIZED BY: St. Johns River Water Management District
Division of Regulatory Services

By: 

Richard Burklew
Bureau Chief

"EXHIBIT A"
CONDITIONS FOR ISSUANCE OF PERMIT NUMBER 3131-3
Florida Heights
DATE ISSUED May 20, 2020

1. With advance notice to the permittee, District staff with proper identification shall have permission to enter, inspect, observe, collect samples, and take measurements of permitted facilities to determine compliance with the permit conditions and permitted plans and specifications. The permittee shall either accompany District staff onto the property or make provision for access onto the property.
2. Nothing in this permit should be construed to limit the authority of the St. Johns River Water Management District to declare a water shortage and issue orders pursuant to Chapter 373, F.S. In the event of a declared water shortage, the permittee must adhere to the water shortage restrictions, as specified by the District. The permittee is advised that during a water shortage, reports shall be submitted as required by District rule or order.
3. Prior to the construction, modification or abandonment of a well, the permittee must obtain a water well permit from the St. Johns River Water Management District or the appropriate local government pursuant to Chapter 40C-3, F.A.C. Construction, modification, or abandonment of a well will require modification of the consumptive use permit when such construction, modification, or abandonment is other than that specified and described on the consumptive use permit application form.
4. Leaking or inoperative well casings, valves, or controls must be repaired or replaced as required to eliminate the leak or make the system fully operational.
5. The permittee's consumptive use of water as authorized by this permit shall not interfere with legal uses of water existing at the time of permit application. If interference occurs, the District shall revoke the permit, in whole or in part, to curtail or abate the interference, unless the interference associated with the permittee's consumptive use of water is mitigated by the permittee pursuant to a District-approved plan.
6. The permittee's consumptive use of water as authorized by this permit shall not have significant adverse hydrologic impacts to off-site land uses existing at the time of permit application. If significant adverse hydrologic impacts occur, the District shall revoke the permit, in whole or in part, to curtail or abate the adverse impacts, unless the impacts associated with the permittee's consumptive use of water are mitigated by the permittee pursuant to a District-approved plan.
7. The permittee shall notify the District in writing within 30 days of any sale, transfer, or conveyance of ownership or any other loss of permitted legal control of the Project and/or related facilities from which the permitted consumptive use is made. Where permittee's control of the land subject to the permit was demonstrated through a lease, the permittee must either submit documentation showing that it continues to have legal control or transfer control of the permitted system/project to the new landowner or new lessee. All transfers of ownership are subject to the requirements of Rule 40C-1.612, F.A.C. Alternatively, the permittee may surrender the consumptive use permit to the District, thereby relinquishing the right to conduct any activities under the permit.
8. A District-issued identification tag shall be prominently displayed at each withdrawal site by permanently affixing such tag to the pump, headgate, valve, or other withdrawal facility as provided by Rule 40C-2.401, F.A.C. The permittee shall notify the District in the event that a replacement tag is needed.

9. The permittee's consumptive use of water as authorized by this permit shall not adversely impact wetlands, lakes, rivers, or springs. If adverse impacts occur, the District shall revoke the permit, in whole or in part, to curtail or abate the adverse impacts, unless the impacts associated with the permittee's consumptive use of water are mitigated by the permittee pursuant to a District-approved plan.
10. The permittee's consumptive use of water as authorized by this permit shall not reduce a flow or level below any minimum flow or level established by the District or the Department of Environmental Protection pursuant to Section 373.042 and 373.0421, F.S. If the permittee's use of water causes or contributes to such a reduction, then the District shall revoke the permit, in whole or in part, unless the permittee implements all provisions applicable to the permittee's use in a District-approved recovery or prevention strategy.
11. The permittee's consumptive use of water as authorized by the permit shall not cause or contribute to significant saline water intrusion. If significant saline water intrusion occurs, the District shall revoke the permit, in whole or in part, to curtail or abate the saline water intrusion, unless the saline water intrusion associated with the permittee's consumptive use of water is mitigated by the permittee pursuant to a District-approved plan.
12. The permittee's consumptive use of water as authorized by the permit shall not cause or contribute to flood damage. If the permittee's consumptive use causes or contributes to flood damage, the District shall revoke the permit, in whole or in part, to curtail or abate the flood damage, unless the flood damage associated with the permittee's consumptive use of water is mitigated by the permittee pursuant to a District-approved plan.
13. All consumptive uses authorized by this permit shall be implemented as conditioned by this permit, including any documents incorporated by reference in a permit condition. The District may revoke this permit, in whole or in part, or take enforcement action, pursuant to Section 373.136 or 373.243, F.S., unless a permit modification has been obtained to address the noncompliance. The permittee shall immediately notify the District in writing of any previously submitted information that is later discovered to be inaccurate.
14. This permit does not convey to the permittee any property rights or privileges other than those specified herein, nor relieve the permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.
15. A permittee may seek modification of any term of an unexpired permit. The permittee is advised that Section 373.239, F.S., and Rule 40C-2.331, F.A.C., are applicable to permit modifications.
16. This permit is subject to modification during the term of the permit, upon reasonable notice by the District to the permittee, to achieve compliance with any approved MFL recovery or prevention strategy for the Silver River or Silver Springs. Furthermore if determined necessary by the District, the permittee will mitigate for their contribution to declining spring flows at Silver Springs. Nothing herein shall be construed to alter the District's authority to modify a permit under circumstances not addressed in this condition.
17. All irrigation shall be in conformity with the requirements set forth in subsection 40C-2.042(2), F.A.C.
18. If chemicals are to be injected into the irrigation system, the permittee shall install and maintain a backflow prevention device on all wells or surface pumps that are connected to the irrigation system.

19. All submittals made to demonstrate compliance with this permit must include CUP number 3131 labeled on the submittal. Submittals should be made on-line at www.sjrwmd.com/permitting whenever possible.
20. This permit will expire on May 19, 2040.
21. The permittee shall meter all service connections.
22. All wells must continue to be equipped with totalizing flow meters. All flow meters must measure within +/- 5% of actual flow, be verifiable and be installed according to the manufacturer's specifications.
23. Maximum annual groundwater withdrawals from Wells A and B (Station IDs 11325 and 11326, respectively) for public supply type use from the Upper Floridan aquifer must not exceed 11.0 million gallons (0.03 mgd, annual average).
24. The permittee shall maintain monthly records of water use, by source, for the permitted project and shall provide the records to the District upon request. The records must be maintained for the life of the permit.
25. By January 31 each year, the permittee shall submit a completed Annual Statement of Continuing Use form to the District. The preferred method of submittal is www.sjrwmd.com/permitting.
26. In order to ensure that the volume of water withdrawn and recorded by the permittee is accurate to within +/- 5% of actual flow (+/- 10% of flow when using an alternative method), the meter accuracy or flow rate from each withdrawal point must be validated once every 10 years and recorded on either the Flow Meter Accuracy Report Form (EN-51) or Alternative Method Flow Verification Report Form (whichever form is applicable). The validation documents must be provided to the District upon request.
27. The permittee must maintain all flowmeters and alternative methods for measuring flow. In case of failure or breakdown of any meter, the District must be notified in writing within 5 days of its discovery. A defective meter must be repaired or replaced within 30 days of its discovery.
28. The permittee must implement the Water Conservation Plan submitted to the District on May 19, 2020, in accordance with the schedule contained therein.
29. The permittee shall use the lowest quality water source, such as reclaimed water, surface/storm water, or alternative water supply, to supply the needs of the project when deemed feasible pursuant to District rules and applicable state law.

Notice Of Rights

1. A person whose substantial interests are or may be affected has the right to request an administrative hearing by filing a written petition with the St. Johns River Water Management District (District). Pursuant to Chapter 28-106 and Rule 40C-1.1007, Florida Administrative Code, the petition must be filed (received) either by delivery at the office of the District Clerk at District Headquarters, P. O. Box 1429, Palatka Florida 32178-1429 (4049 Reid St., Palatka, FL 32177) or by e-mail with the District Clerk at Clerk@sjrwmd.com, within twenty-six (26) days of the District depositing the notice of District decision in the mail (for those persons to whom the District mails actual notice), within twenty-one (21) days of the District emailing the notice of District decision (for those persons to whom the District emails actual notice), or within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail or email actual notice). A petition must comply with Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes, and Chapter 28-106, Florida Administrative Code. The District will not accept a petition sent by facsimile (fax), as explained in paragraph no. 4 below.
2. Please be advised that if you wish to dispute this District decision, mediation may be available and that choosing mediation does not affect your right to an administrative hearing. If you wish to request mediation, you must do so in a timely-filed petition. If all parties, including the District, agree to the details of the mediation procedure, in writing, within 10 days after the time period stated in the announcement for election of an administrative remedy under Sections 120.569 and 120.57, Florida Statutes, the time limitations imposed by Sections 120.569 and 120.57, Florida Statutes, shall be tolled to allow mediation of the disputed District decision. The mediation must be concluded within 60 days of the date of the parties' written agreement, or such other timeframe agreed to by the parties in writing. Any mediation agreement must include provisions for selecting a mediator, a statement that each party shall be responsible for paying its pro-rata share of the costs and fees associated with mediation, and the mediating parties' understanding regarding the confidentiality of discussions and documents introduced during mediation. If mediation results in settlement of the administrative dispute, the District will enter a final order consistent with the settlement agreement. If mediation terminates without settlement of the dispute, the District will notify all the parties in writing that the administrative hearing process under Sections 120.569 and 120.57, Florida Statutes, is resumed. Even if a party chooses not to engage in formal mediation, or if formal mediation does not result in a settlement agreement, the District will remain willing to engage in informal settlement discussions.
3. A person whose substantial interests are or may be affected has the right to an informal administrative hearing pursuant to Sections 120.569 and 120.57(2), Florida Statutes, where no material facts are in dispute. A petition for an informal hearing must also comply with the requirements set forth in Rule 28-106.301, Florida Administrative Code.

Notice Of Rights

4. A petition for an administrative hearing is deemed filed upon receipt of the complete petition by the District Clerk at the District Headquarters in Palatka, Florida during the District's regular business hours. The District's regular business hours are 8:00 a.m. – 5:00 p.m., excluding weekends and District holidays. Petitions received by the District Clerk after the District's regular business hours shall be deemed filed as of 8:00 a.m. on the District's next regular business day. The District's acceptance of petitions filed by e-mail is subject to certain conditions set forth in the District's Statement of Agency Organization and Operation (issued pursuant to Rule 28-101.001, Florida Administrative Code), which is available for viewing at www.sjrwmd.com. These conditions include, but are not limited to, the petition being in the form of a PDF or TIFF file and being capable of being stored and printed by the District. Further, pursuant to the District's Statement of Agency Organization and Operation, attempting to file a petition by facsimile is prohibited and shall not constitute filing.
5. Failure to file a petition for an administrative hearing within the requisite timeframe shall constitute a waiver of the right to an administrative hearing. (Rule 28-106.111, Florida Administrative Code).
6. The right to an administrative hearing and the relevant procedures to be followed are governed by Chapter 120, Florida Statutes, Chapter 28-106, Florida Administrative Code, and Rule 40C-1.1007, Florida Administrative Code. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means the District's final action may be different from the position taken by it in this notice. A person whose substantial interests are or may be affected by the District's final action has the right to become a party to the proceeding, in accordance with the requirements set forth above.
7. Pursuant to Section 120.68, Florida Statutes, a party to the proceeding before the District who is adversely affected by final District action may seek review of the action in the District Court of Appeal by filing a notice of appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, within 30 days of the rendering of the final District action.
8. A District action is considered rendered, as referred to in paragraph no. 7 above, after it is signed on behalf of the District and filed by the District Clerk.
9. Failure to observe the relevant timeframes for filing a petition for judicial review as described in paragraph no. 7 above will result in waiver of that right to review.

Notice Of Rights

Certificate of Service

I HEREBY CERTIFY that a copy of the foregoing Notice of Rights has been sent to the permittee:

Dewaine Christmas
Sunshine Utilities of Central Florida Inc
10230 E Hwy 25
Bellevue, FL 34420-5531

This 20th day of May, 2020.

A handwritten signature in black ink, appearing to read "Rich Burklew", with a long horizontal flourish extending to the right.

Richard Burklew, Bureau Chief

Permit Number: 3131-3

NOTICING INFORMATION

Please be advised that the St. Johns River Water Management District will not publish a notice in the newspaper advising the public that it has issued a permit for this project.

Newspaper publication, using the District's notice form, notifies members of the public of their right to challenge the issuance of the permit. If proper notice is given by newspaper publication, then there is a 21-day time limit for someone to file a petition for an administrative hearing to challenge the issuance of the permit.

To close the point of entry for filing a petition, you may publish (at your own expense) a one-time notice of the District's decision in a newspaper of general circulation within the affected area as defined in Section 50.011 of the Florida Statutes. If you do not publish a newspaper notice to close the point of entry, the time to challenge the issuance of your permit will not expire and someone could file a petition even after your project is constructed.

A copy of the notice form and a partial list of newspapers of general circulation are attached for your convenience. However, you are not limited to those listed newspapers. If you choose to close the point of entry and the notice is published, the newspaper will return to you an affidavit of publication. In that event, it is important that you either submit a scanned copy of the affidavit by emailing it to compliancesupport@sjrwmd.com (preferred method) or send a copy of the original affidavit to:

Office of Business and Administrative Services
4049 Reid Street
Palatka, FL 32177

If you have any questions, please contact the Office of Business and Administrative Services at (386) 329-4570.

NOTICE OF AGENCY ACTION TAKEN BY THE
ST. JOHNS RIVER WATER MANAGEMENT DISTRICT

Notice is given that on _____ the District issued Permit No. _____ for a Consumptive Use Permit to serve (type of project) _____ activities. The total allocation authorized is _____ mgd of (groundwater/surface water). The project is located in _____ County, Section(s) _____, Township _____ South, Range _____ East. The permit applicant is _____.

If you wish to receive a copy of a Technical Staff Report (TSR) that provides the St. Johns River Water Management District (District) staffs' analysis on the above-listed compliance report(s) and associated permit(s), please submit your request to Office Director, Office of Business and Administrative Services, PO Box 1429, Palatka, FL 32178-1429. You may view the TSR by going to the Permitting section of the District's website at www.sjrwmd.com/permitting/index.html. To obtain information on how to find and view a TSR, visit https://permitting.sjrwmd.com/epermitting/html/EP_FAQs.html, and then follow the directions provided under "How to find a Technical Staff Report (TSR) or other application file documents."

A person whose substantial interests are or may be affected has the right to request an administrative hearing by filing a written petition with the District. Pursuant to Chapter 28-106 and Rule 40C-1.1007, Florida Administrative Code (F.A.C.), the petition must be filed (received) either by delivery at the office of the District Clerk at District Headquarters, P. O. Box 1429, Palatka Florida 32178-1429 (4049 Reid St., Palatka, FL 32177) or by e-mail with the District Clerk at Clerk@sjrwmd.com, within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail or email actual notice). A petition for an administrative hearing is deemed filed upon receipt of the complete petition by the District Clerk at the District Headquarters in Palatka, Florida during the District's regular business hours. The District's regular business hours are 8 a.m. – 5 p.m., excluding weekends and District holidays. Petitions received by the District Clerk after the District's regular business hours shall be deemed filed as of 8 a.m. on the next regular District business day. A petition must comply with Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes (F.S.), and Chapter 28-106, F.A.C. The District's acceptance of petitions filed by e-mail is subject to certain conditions set forth in the District's Statement of Agency Organization and Operation (issued pursuant to Rule 28-101.001, F.A.C.), which is available for viewing at www.sjrwmd.com. The District will not accept a petition sent by facsimile (fax). Mediation may be available if you meet the conditions stated in the full Notice of Rights (see last paragraph).

The right to an administrative hearing and the relevant procedures to be followed are governed by Chapter 120, F.S., Chapter 28-106, F.A.C., and Rule 40C-1.1007, F.A.C. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means the District's final action may be different from the position taken by it in this notice. **Failure to file a petition for an administrative hearing within the requisite time frame shall constitute a waiver of the right to an administrative hearing. (Rule 28-106.111, F.A.C.).**

If you wish to do so, please visit http://www.sjrwmd.com/nor_dec/ to read the complete Notice of Rights to determine any legal rights you may have concerning the District's decision(s) on the Consumptive Use Permit Application(s) described above. You can also request the Notice of Rights by contacting the Office Director, Office of Business and Administrative Services, P. O. Box 1429, Palatka, FL 32178, phone (386)329-4570.

NEWSPAPER ADVERTISING

ALACHUA

The Alachua County Record, Legal Advertising
P. O. Box 806
Gainesville, FL 32602
352-377-2444/ fax 352-338-1986

BRADFORD

Bradford County Telegraph, Legal Advertising
P. O. Drawer A
Starke, FL 32901
904-964-6305/ fax 904-964-8628

CLAY

Clay Today, Legal Advertising
1560 Kinsley Ave., Suite 1
Orange Park, FL 32073
904-264-3200/ fax 904-264-3285

FLAGLER

Flagler Tribune, c/o News Journal
P. O. Box 2831
Daytona Beach, FL 32120-2831
386-681-2322

LAKE

Daily Commercial, Legal Advertising
P. O. Drawer 490007
Leesburg, FL 34749
352-365-8235/fax 352-365-1951

NASSAU

News-Leader, Legal Advertising
P. O. Box 766
Fernandina Beach, FL 32035
904-261-3696/fax 904-261-3698

ORANGE

Sentinel Communications, Legal Advertising
633 N. Orange Avenue
Orlando, FL 32801
407-420-5160/ fax 407-420-5011

PUTNAM

Palatka Daily News, Legal Advertising
P. O. Box 777
Palatka, FL 32178
386-312-5200/ fax 386-312-5209

SEMINOLE

Seminole Herald, Legal Advertising
300 North French Avenue
Sanford, FL 32771
407-323-9408

BAKER

Baker County Press, Legal Advertising
P. O. Box 598
MacLenny, FL 32063
904-259-2400/ fax 904-259-6502

BREVARD

Florida Today, Legal Advertising
P. O. Box 419000
Melbourne, FL 32941-9000
321-242-3832/ fax 321-242-6618

DUVAL

Daily Record, Legal Advertising
P. O. Box 1769
Jacksonville, FL 32201
904-356-2466 / fax 904-353-2628

INDIAN RIVER

Vero Beach Press Journal, Legal Advertising
P. O. Box 1268
Vero Beach, FL 32961-1268
772-221-4282/ fax 772-978-2340

MARION

Ocala Star Banner, Legal Advertising
2121 SW 19th Avenue Road
Ocala, FL 34474
352-867-4010/fax 352-867-4126

OKEECHOBEE

Okeechobee News, Legal Advertising
P. O. Box 639
Okeechobee, FL 34973-0639
863-763-3134/fax 863-763-5901

OSCEOLA

Little Sentinel, Legal Advertising
633 N. Orange Avenue
Orlando, FL 32801
407-420-5160/ fax 407-420-5011

ST. JOHNS

St. Augustine Record, Legal Advertising
P. O. Box 1630
St. Augustine, FL 32085
904-819-3439

VOLUSIA

News Journal Corporation, Legal Advertising
P. O. Box 2831
Daytona Beach, FL 32120-2831
(386) 681-2322



St. Johns River Water Management District

Kirby B. Green III, Executive Director • David W. Fisk, Assistant Executive Director

4049 Reid Street • P.O. Box 1429 • Palatka, FL 32178-1429 • (386) 329-4500
On the Internet at www.sjrwmd.com.

May 22, 2006

Sunshine Utilities
10230 E Hwy 25
Bellevue, FL 34420

SUBJECT: Consumptive Use Permit Number 3013
Fore Oaks

Dear Sir/Madam:

Enclosed is your permit and the forms necessary for submitting information to comply with conditions of the permit as authorized by the St. Johns River Water Management District on May 22, 2006.

Please be advised that the period of time within which a third party may request an administrative hearing on this permit may not have expired by the date of issuance. A potential petitioner has twenty-six (26) days from the date on which the actual notice is deposited in the mail, or twenty-one (21) days from publication of this notice when actual notice is not provided, within which to file a petition for an administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes. Receipt of such a petition by the District may result in this permit becoming null and void.

Permit issuance does not relieve you from the responsibility of obtaining permits from any federal, state and/or local agencies asserting concurrent jurisdiction over this work.

The enclosed permit is a legal document and should be kept with your other important records. Please read the permit and conditions carefully since the referenced conditions may require submittal of additional information. All information submitted as compliance with permit conditions must be submitted to the nearest District Service Center and should include the above referenced permit number.

Sincerely,

Gloria Lewis, Director
Permit Data Services Division

Enclosures: Permit, Conditions for Issuance, Compliance Forms, Map, Well Tags

cc: District Permit File

Agent: Dewaine Christmas
10230 E Hwy 25
Bellevue, FL 34420

GOVERNING BOARD

David G. Graham, CHAIRMAN JACKSONVILLE	John G. Sowinski, VICE CHAIRMAN ORLANDO	Ann T. Moore, SECRETARY BUNNELL	Duane L. Ottenstroer, TREASURER JACKSONVILLE	
R. Clay Albright OCALA	Susan N. Hughes PONTE VEDRA	William W. Kerr MELBOURNE BEACH	Ometrias D. Long APOPKA	W. Leonard Wood FERNANDINA BEACH

PERMIT NO. 3013
PROJECT NAME: Fore Oaks

DATE ISSUED: May 22, 2006

A PERMIT AUTHORIZING:

The District authorizes, as limited by the attached permit conditions, the use of 33.3 million gallons per year of ground water from the Floridan aquifer to provide for an estimated population of 779 people.

LOCATION:

Site: Fore Oaks
Marion County

Section(s): 29 Township(s): 14S Range(s): 22E

ISSUED TO:

Sunshine Utilities
10230 E Hwy 25
Bellevue, FL 34420

Permittee agrees to hold and save the St. Johns River Water Management District and its successors harmless from any and all damages, claims, or liabilities which may arise from permit issuance. Said application, including all maps and specifications attached thereto, is by reference made a part hereof.

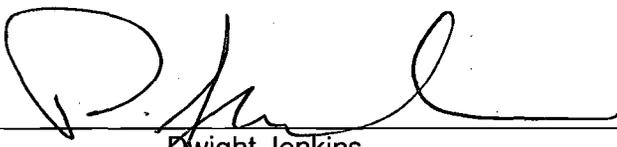
This permit does not convey to permittee any property rights nor any rights of privileges other than those specified herein, nor relieve the permittee from complying with any law, regulation or requirement affecting the rights of other bodies or agencies. All structures and works installed by permittee hereunder shall remain the property of the permittee.

This permit may be revoked, modified or transferred at any time pursuant to the appropriate provisions of Chapter 373, Florida Statutes and 40C-1, Florida Administrative Code.

PERMIT IS CONDITIONED UPON:

See conditions on attached "Exhibit A", dated May 22, 2006

AUTHORIZED BY: St. Johns River Water Management District
Department of Resource Management

By: 
Dwight Jenkins
Division Director

"EXHIBIT A"
CONDITIONS FOR ISSUANCE OF PERMIT NUMBER 3013
SUNSHINE UTILITIES
DATED MAY 22, 2006

1. District Authorized staff, upon proper identification, will have permission to enter, inspect and observe permitted and related facilities in order to determine compliance with the approved plans, specifications and conditions of this permit.
2. Nothing in this permit should be construed to limit the authority of the St. Johns River Water Management District to declare a water shortage and issue orders pursuant to Section 373.175, Florida Statutes, or to formulate a plan for implementation during periods of water shortage, pursuant to Section 373.246, Florida Statutes. In the event a water shortage, is declared by the District Governing Board, the permittee must adhere to the water shortage restriction as specified by the District, even though the specified water shortage restrictions may be inconsistent with the terms and conditions of this permit.
3. Prior to the construction, modification, or abandonment of a well, the permittee must obtain a Water Well Construction Permit from the St. Johns River Water Management District, or the appropriate local government pursuant to Chapter 40C-3, Florida Administrative Code. Construction, modification, or abandonment of a well will require modification of the consumptive use permit when such construction, modification or abandonment is other than that specified and described on the consumptive use permit application form.
4. Leaking or inoperative well casings, valves, or controls must be repaired or replaced as required to eliminate the leak or make the system fully operational.
5. Legal uses of water existing at the time of the permit application may not be interfered with by the consumptive use. If unanticipated interference occurs, the District may revoke the permit in whole or in part to curtail or abate the interference unless the permittee mitigates for the interference. In those cases where other permit holders are identified by the District as also contributing to the interference, the permittee may choose to mitigate in a cooperative effort with these other permittees. The permittee must submit a mitigation plan to the District for approval prior to implementing such mitigation.
6. Off-site land uses existing at the time of permit application may not be significantly adversely impacted as a result of the consumptive use. If unanticipated significant adverse impacts occur, the District shall revoke the permit in whole or in part to curtail or abate the adverse impacts, unless the impacts can be mitigated by the permittee.
7. The District must be notified, in writing, within 30 days of any sale, conveyance, or other transfer of a well or facility from which the permitted consumptive use is made or within 30 days of any transfer of ownership or control of the real property at which the permitted consumptive use is located. All transfers of ownership or transfers of permits are subject to the provisions of section 40C-1.612, Florida Administrative Code.
8. A District-issued identification tag shall be prominently displayed at each withdrawal site by permanently affixing such tag to the pump, headgate, valve or other withdrawal facility as provided by Section 40C-2.401, Florida Administrative Code. Permittee shall notify the District in the event that a replacement tag is needed.
9. All submittals made to demonstrate compliance with this permit must include the CUP number 3013 plainly labeled.
10. This permit will expire May 18, 2026.

11. Maximum annual ground water withdrawals from the Floridan aquifer for household type uses, must not exceed:

- 25.8 million gallons annual withdrawal from 2006 through year 2010
- 28.1 million gallons annual withdrawal from 2011 through year 2015
- 30.5 million gallons annual withdrawal from 2016 through year 2020
- 33.3 million gallons annual withdrawal from 2021 through the duration of the permit.

12. Wells number 1 (GRS ID 10824), and 3 (GRS ID 21559) (as listed on the application) are equipped with totalizing flow meters. These meters must maintain 95% accuracy, be verifiable and be installed according to the manufacturer's specifications.

13. Prior to beginning water use, well number 2 (GRS ID 10823) (as listed on the application) must be equipped with a totalizing flow meter. The flow meter must maintain 95% accuracy, be verifiable and installed according to the manufacturer's specifications.. Documentation (i.e. manufacturers specifications and photo) of proper installation of this meter must be submitted within 30 days of meter placement.

14. Withdrawals from wells number 1 (GRS ID 10824), 2 (GRS ID 10823) and 3 (GRS ID 21559) must be recorded continuously, totaled monthly, and reported to the District at least every six months from the initiation of the monitoring using Form No. EN-50. The reporting dates each year will be as follows for the duration of the permit:

Reporting Period	Report Due Date
January - June	July 31
July - December	January 31

15. The permittee must have all flow meters checked for accuracy every 3 years within 30 days of the anniversary date of permit issuance, and recalibrated if the difference between the actual flow and the meter reading is greater than 5%. District Form No. EN-51 must be submitted to the District within 10 days of the inspection/calibration.

16. The permittee must maintain all flow meters. In case of failure or breakdown of any meter, the District must be notified in writing within 5 days of its discovery. A defective meter must be repaired or replaced within 30 days of its discovery.

17. The permittee must continue to implement the Water Conservation Plan submitted to the District on March 23, 2006 in accordance with the schedules contained therein.

18. The lowest quality water source, such as reclaimed water and surface/storm water, must be used as irrigation water when deemed feasible pursuant to District rules and applicable state law.

NOTICE OF RIGHTS

1. A person whose substantial interests are or may be affected has the right to request an administrative hearing by filing a written petition with the St. Johns River Water Management District (District). Pursuant to Chapter 28-106 and Rule 40C-1.1007, Florida Administrative Code, the petition must be filed (received) either by delivery at the office of the District Clerk at District Headquarters, P. O. Box 1429, Palatka Florida 32178-1429 (4049 Reid St., Palatka, FL 32177) or by e-mail with the District Clerk at Clerk@sjrwm.com, within twenty-six (26) days of the District depositing notice of District decision in the mail (for those persons to whom the District mails actual notice), within twenty-one (21) days of the District emailing notice of District decision (for those persons to whom the District emails actual notice), or within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail or email actual notice). A petition must comply with Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes, and Chapter 28-106, Florida Administrative Code. The District will not accept a petition sent by facsimile (fax), as explained in paragraph no. 5 below. Mediation pursuant to Section 120.573, Florida Statutes, is not available.
2. If, the Governing Board takes action that substantially differs from the notice of District decision, a person whose substantial interests are or may be affected has the right to request an administrative hearing by filing a written petition with the District, but this request for administrative hearing shall only address the substantial deviation. Pursuant to Chapter 28-106 and Rule 40C-1.1007, Florida Administrative Code, the petition must be filed (received) at the office of the District Clerk at the mail/street address or email address described in paragraph no. 1 above, within twenty-six (26) days of the District depositing notice of final District decision in the mail (for those persons to whom the District mails actual notice), within twenty-one (21) days of the District emailing the notice of final District decision (for those persons to whom the District emails actual notice), or within twenty-one (21) days of newspaper publication of the notice of final District decision (for those persons to whom the District does not mail or email actual notice). A petition must comply with Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes, and Chapter 28-106, Florida Administrative Code. Mediation pursuant to Section 120.573, Florida Statutes, is not available.
3. A person whose substantial interests are or may be affected has the right to a formal administrative hearing pursuant to Sections 120.569 and 120.57(1), Florida Statutes, where there is a dispute between the District and the party regarding an issue of material fact. A petition for formal hearing must also comply with the requirements set forth in Rule 28-106.201, Florida Administrative Code.
4. A person whose substantial interests are or may be affected has the right to an informal administrative hearing pursuant to Sections 120.569 and 120.57(2), Florida Statutes, where no material facts are in dispute. A petition for an informal hearing must also comply with the requirements set forth in Rule 28-106.301, Florida Administrative Code.
5. A petition for an administrative hearing is deemed filed upon receipt of the complete petition by the District Clerk at the District Headquarters in Palatka, Florida. Petitions received by the District Clerk after 5:00 p.m., or on a Saturday, Sunday, or legal holiday, shall be deemed filed as of 8:00 a.m. on the next regular District business

NOTICE OF RIGHTS

day. The District's acceptance of petitions filed by e-mail is subject to certain conditions set forth in the District's Statement of Agency Organization and Operation (issued pursuant to Rule 28-101.001, Florida Administrative Code), which is available for viewing at www.sjrwmd.com. These conditions include, but are not limited to, the petition being in the form of a PDF file and being capable of being stored and printed by the District. Further, pursuant to the District's Statement of Agency Organization and Operation, attempting to file a petition by facsimile is prohibited and shall not constitute filing.

6. Failure to file a petition for an administrative hearing within the requisite time frame shall constitute a waiver of the right to an administrative hearing. (Rule 28-106.111, Florida Administrative Code).
7. The right to an administrative hearing and the relevant procedures to be followed are governed by Chapter 120, Florida Statutes, Chapter 28-106, Florida Administrative Code, and Rule 40C-1.1007, Florida Administrative Code. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means the District's final action may be different from the position taken by it in this notice. A person whose substantial interests are or may be affected by the District's final action has the right to become a party to the proceeding, in accordance with the requirements set forth above.
8. A person with a legal or equitable interest in real property who believes that a District permitting action is unreasonable or will unfairly burden the use of their property, has the right to, within 30 days of receipt of the notice of District decision regarding a permit application, apply for a special magistrate proceeding under Section 70.51, Florida Statutes, by filing a written request for relief at the Office of the District Clerk located at District Headquarters, P. O. Box 1429, Palatka, FL 32178-1429 (4049 Reid St., Palatka, FL 32177). A request for relief must contain the information listed in Subsection 70.51(6), Florida Statutes. Requests for relief received by the District Clerk after 5:00 p.m., or on a Saturday, Sunday, or legal holiday, shall be deemed filed as of 8:00 a.m. on the next regular District business day.
9. A timely filed request for relief under Section 70.51, Florida Statutes, tolls the time to request an administrative hearing under paragraph nos. 1 or 2 above. (Paragraph 70.51(10)(b), Florida Statutes). However, the filing of a request for an administrative hearing under paragraph nos. 1 or 2 above waives the right to a special magistrate proceeding. (Subsection 70.51(10)(b), Florida Statutes).
10. Failure to file a request for relief within the requisite time frame shall constitute a waiver of the right to a special magistrate proceeding. (Subsection 70.51(3), Florida Statutes).
11. Any person whose substantial interests are or may be affected who claims that final action of the District constitutes an unconstitutional taking of property without just compensation may seek review of the action in circuit court pursuant to Section 373.617, Florida Statutes, and the Florida Rules of Civil Procedures, by filing an action in circuit court within 90 days of rendering of the final District action, (Section 373.617, Florida Statutes).

NOTICE OF RIGHTS

12. Pursuant to Section 120.68, Florida Statutes, a party to the proceeding before the District who is adversely affected by final District action may seek review of the action in the District Court of Appeal by filing a notice of appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, within 30 days of the rendering of the final District action.
13. A party to the proceeding before the District who claims that a District order is inconsistent with the provisions and purposes of Chapter 373, Florida Statutes, may seek review of the order pursuant to Section 373.114, Florida Statutes, by the Florida Land and Water Adjudicatory Commission, by filing a request for review with the Commission and serving a copy on the Florida Department of Environmental Protection and any person named in the order within 20 days of the rendering of the District order.
14. A District action is considered rendered, as referred to in paragraph nos. 11, 12, and 13 above, after it is signed on behalf of the District, and is filed by the District Clerk.
15. Failure to observe the relevant time frames for filing a petition for judicial review as described in paragraph nos. 11 and 12 above, or for Commission review as described in paragraph no. 13 above, will result in waiver of that right to review.

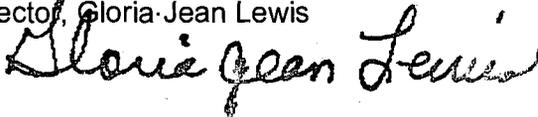
CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Notice of Rights has been sent by U.S. Mail to:

Sunshine Utilities
10230 E Hwy 25
Belleview, FL 34420

At 4:00 p.m. this ^{31st}~~22nd~~ day of May, 2006.

Permit Data Services
Director, Gloria-Jean Lewis



St. Johns River Water Management District
Post Office Box 1429
Palatka FL 32178-1429
(386) 329-4235

Permit Number: 3013



St. Johns River

Water Management District

Ann B. Shortelle, Ph.D., Executive Director

4049 Reid Street • P.O. Box 1429 • Palatka, FL 32178-1429 • 386-329-4500 • www.sjrwmd.com

November 18, 2020

Dewaine Christmas
Sunshine Utilities of Central Florida, Inc
10230 E Hwy 25
Bellevue, FL 34420-5531

SUBJECT: Oakhaven, Consumptive Use Permit Number 3080-4
Marion County, Florida

Dear Sir/Madam:

Enclosed is the permit authorized by the District on November 18, 2020. The enclosed permit is a legal document and should be kept with other important records. Please read the permit and conditions carefully because the referenced conditions may require submittal of additional information. Where possible, please submit all information required to comply with permit conditions electronically at www.sjrwmd.com/permitting via the District's e-Permitting portal.

Please be advised that the District will not publish a notice in the newspaper advising the public that the permit has been issued. Enclosed is information on publishing notice of the permit. If a newspaper notice is not published to close the point of entry, the time to challenge the issuance of the permit will not expire. A potential petitioner has 26 days from the date on which the actual notice is deposited in the mail, or 21 days from publication of this notice when actual notice is not provided, within which to file a petition for an administrative hearing pursuant to Sections 120.569 and 120.57, *Florida Statutes*. Receipt of such a petition by the District may result in this permit becoming null and void. Also, enclosed is a copy of the Notice of Rights.

If you have any questions concerning the permit, please contact Emily Wakley in the Maitland Service Center at (407) 659-4827

Sincerely,

A handwritten signature in black ink that reads "Rich Burklew".

Richard Burklew, Bureau Chief
Water Use Regulation

GOVERNING BOARD

Douglas Burnett, CHAIRMAN
ST. AUGUSTINE

Doug Bournique
VERO BEACH

Rob Bradley, VICE CHAIRMAN
FLEMING ISLAND

Cole Oliver
MERRITT ISLAND

Susan Dolan, SECRETARY
SANFORD

J. Chris Peterson
WINTER PARK

Ron Howse, TREASURER
COCOA

Janet Price
FERNANDINA BEACH

ST. JOHNS RIVER WATER MANAGEMENT DISTRICT
Post Office Box 1429
Palatka, Florida 32178-1429

PERMIT NO: 3080-4

DATE ISSUED: November 18, 2020

PROJECT NAME: Oakhaven

A PERMIT AUTHORIZING:

The District authorizes, as limited by the attached permit conditions, the use of 18.9 million gallons per year (mgy) (0.052 million gallons per day (mgd), annual average) of groundwater from the Upper Floridan aquifer for public supply type uses through 2040.

LOCATION:

Site: Oakhaven
Marion County

SECTION(S):
36

TOWNSHIP(S):
14S

RANGE(S):
21E

ISSUED TO:

Sunshine Utilities of Central Florida, Inc
10230 E Hwy 25
Bellevue, FL 34420-5531

The permittee agrees to hold and save the St. Johns River Water Management District and its successors harmless from any and all damages, claims, or liabilities which may arise from permit issuance. Said application, including all plans and specifications attached thereto, is by reference made a part hereof.

This permit does not convey to the permittee any property rights nor any rights or privileges other than those specified herein, nor relieve the permittee from complying with any applicable local government, state, or federal, rule, or ordinance.

This permit may be revoked, modified or transferred at any time pursuant to the appropriate provisions of Chapter 373, Florida Statutes and 40C-1, Florida Administrative Code.

PERMIT IS CONDITIONED UPON:

See conditions on attached "Exhibit A", dated November 18, 2020

AUTHORIZED BY: St. Johns River Water Management District
Division of Regulatory Services

By: 

Richard Burklew
Bureau Chief

"EXHIBIT A"
CONDITIONS FOR ISSUANCE OF PERMIT NUMBER 3080-4
Oakhaven
DATE ISSUED November 18, 2020

1. With advance notice to the permittee, District staff with proper identification shall have permission to enter, inspect, observe, collect samples, and take measurements of permitted facilities to determine compliance with the permit conditions and permitted plans and specifications. The permittee shall either accompany District staff onto the property or make provision for access onto the property.
2. Nothing in this permit should be construed to limit the authority of the St. Johns River Water Management District to declare a water shortage and issue orders pursuant to Chapter 373, F.S. In the event of a declared water shortage, the permittee must adhere to the water shortage restrictions, as specified by the District. The permittee is advised that during a water shortage, reports shall be submitted as required by District rule or order.
3. Prior to the construction, modification or abandonment of a well, the permittee must obtain a water well permit from the St. Johns River Water Management District or the appropriate local government pursuant to Chapter 40C-3, F.A.C. Construction, modification, or abandonment of a well will require modification of the consumptive use permit when such construction, modification, or abandonment is other than that specified and described on the consumptive use permit application form.
4. Leaking or inoperative well casings, valves, or controls must be repaired or replaced as required to eliminate the leak or make the system fully operational.
5. The permittee's consumptive use of water as authorized by this permit shall not interfere with legal uses of water existing at the time of permit application. If interference occurs, the District shall revoke the permit, in whole or in part, to curtail or abate the interference, unless the interference associated with the permittee's consumptive use of water is mitigated by the permittee pursuant to a District-approved plan.
6. The permittee's consumptive use of water as authorized by this permit shall not have significant adverse hydrologic impacts to off-site land uses existing at the time of permit application. If significant adverse hydrologic impacts occur, the District shall revoke the permit, in whole or in part, to curtail or abate the adverse impacts, unless the impacts associated with the permittee's consumptive use of water are mitigated by the permittee pursuant to a District-approved plan.
7. The permittee shall notify the District in writing within 30 days of any sale, transfer, or conveyance of ownership or any other loss of permitted legal control of the Project and/or related facilities from which the permitted consumptive use is made. Where permittee's control of the land subject to the permit was demonstrated through a lease, the permittee must either submit documentation showing that it continues to have legal control or transfer control of the permitted system/project to the new landowner or new lessee. All transfers of ownership are subject to the requirements of Rule 40C-1.612, F.A.C. Alternatively, the permittee may surrender the consumptive use permit to the District, thereby relinquishing the right to conduct any activities under the permit.
8. A District-issued identification tag shall be prominently displayed at each withdrawal site by permanently affixing such tag to the pump, headgate, valve, or other withdrawal facility as provided by Rule 40C-2.401, F.A.C. The permittee shall notify the District in the event that a replacement tag is needed.

9. The permittee's consumptive use of water as authorized by this permit shall not adversely impact wetlands, lakes, rivers, or springs. If adverse impacts occur, the District shall revoke the permit, in whole or in part, to curtail or abate the adverse impacts, unless the impacts associated with the permittee's consumptive use of water are mitigated by the permittee pursuant to a District-approved plan.
10. The permittee's consumptive use of water as authorized by this permit shall not reduce a flow or level below any minimum flow or level established by the District or the Department of Environmental Protection pursuant to Section 373.042 and 373.0421, F.S. If the permittee's use of water causes or contributes to such a reduction, then the District shall revoke the permit, in whole or in part, unless the permittee implements all provisions applicable to the permittee's use in a District-approved recovery or prevention strategy.
11. The permittee's consumptive use of water as authorized by the permit shall not cause or contribute to significant saline water intrusion. If significant saline water intrusion occurs, the District shall revoke the permit, in whole or in part, to curtail or abate the saline water intrusion, unless the saline water intrusion associated with the permittee's consumptive use of water is mitigated by the permittee pursuant to a District-approved plan.
12. The permittee's consumptive use of water as authorized by the permit shall not cause or contribute to flood damage. If the permittee's consumptive use causes or contributes to flood damage, the District shall revoke the permit, in whole or in part, to curtail or abate the flood damage, unless the flood damage associated with the permittee's consumptive use of water is mitigated by the permittee pursuant to a District-approved plan.
13. All consumptive uses authorized by this permit shall be implemented as conditioned by this permit, including any documents incorporated by reference in a permit condition. The District may revoke this permit, in whole or in part, or take enforcement action, pursuant to Section 373.136 or 373.243, F.S., unless a permit modification has been obtained to address the noncompliance. The permittee shall immediately notify the District in writing of any previously submitted information that is later discovered to be inaccurate.
14. This permit does not convey to the permittee any property rights or privileges other than those specified herein, nor relieve the permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.
15. A permittee may seek modification of any term of an unexpired permit. The permittee is advised that Section 373.239, F.S., and Rule 40C-2.331, F.A.C., are applicable to permit modifications.
16. This permit is subject to modification during the term of the permit, upon reasonable notice by the District to the permittee, to achieve compliance with any approved MFL recovery or prevention strategy for the Silver River or Silver Springs. Furthermore if determined necessary by the District, the permittee will mitigate for their contribution to declining spring flows at Silver Springs. Nothing herein shall be construed to alter the District's authority to modify a permit under circumstances not addressed in this condition.
17. The permittee shall meter all service connections.
18. All irrigation shall be in conformity with the requirements set forth in subsection 40C-2.042(2), F.A.C.
19. All submittals made to demonstrate compliance with this permit must include CUP number 3080 labeled on the submittal. Submittals should be made on-line at www.sjrwmd.com/permitting whenever possible.

20. This permit will expire on October 30, 2040.
21. Well 1 (Station ID 11148) must continue be equipped with totalizing flow meters. All flow meters must measure within +/- 5% of actual flow, be verifiable and be installed according to the manufacturer's specifications.
22. Maximum annual groundwater withdrawals from Well 1 (Station ID 11148) from the Upper Floridan aquifer for public supply type uses must not exceed 18.9 million gallons (0.052 mgd, annual average).
23. The permittee shall maintain monthly records of water use, by source, for the permitted project and shall provide the records to the District upon request. The records must be maintained for the life of the permit.
24. By January 31 each year, the permittee shall submit a completed Annual Statement of Continuing Use form to the District. The preferred method of submittal is www.sjrwm.com/permitting.
25. In order to ensure that the volume of water withdrawn and recorded by the permittee is accurate to within +/- 5% of actual flow (+/- 10% of flow when using an alternative method), the meter accuracy or flow rate from each withdrawal point must be validated once every 10 years and recorded on either the Flow Meter Accuracy Report Form (EN-51) or Alternative Method Flow Verification Report Form (whichever form is applicable). The validation documents must be provided to the District upon request.
26. The permittee must maintain all flowmeters and alternative methods for measuring flow. In case of failure or breakdown of any meter, the District must be notified in writing within 5 days of its discovery. A defective meter must be repaired or replaced within 30 days of its discovery.
27. The permittee must implement the Water Conservation Plan submitted to the District on October 30, 2020, in accordance with the schedule contained therein.
28. The permittee shall use the lowest quality water source, such as reclaimed water, surface/storm water, or alternative water supply, to supply the needs of the project when deemed feasible pursuant to District rules and applicable state law.

Notice Of Rights

1. A person whose substantial interests are or may be affected has the right to request an administrative hearing by filing a written petition with the St. Johns River Water Management District (District). Pursuant to Chapter 28-106 and Rule 40C-1.1007, Florida Administrative Code, the petition must be filed (received) either by delivery at the office of the District Clerk at District Headquarters, P. O. Box 1429, Palatka Florida 32178-1429 (4049 Reid St., Palatka, FL 32177) or by e-mail with the District Clerk at Clerk@sjrwmd.com, within twenty-six (26) days of the District depositing the notice of District decision in the mail (for those persons to whom the District mails actual notice), within twenty-one (21) days of the District emailing the notice of District decision (for those persons to whom the District emails actual notice), or within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail or email actual notice). A petition must comply with Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes, and Chapter 28-106, Florida Administrative Code. The District will not accept a petition sent by facsimile (fax), as explained in paragraph no. 4 below.
2. Please be advised that if you wish to dispute this District decision, mediation may be available and that choosing mediation does not affect your right to an administrative hearing. If you wish to request mediation, you must do so in a timely-filed petition. If all parties, including the District, agree to the details of the mediation procedure, in writing, within 10 days after the time period stated in the announcement for election of an administrative remedy under Sections 120.569 and 120.57, Florida Statutes, the time limitations imposed by Sections 120.569 and 120.57, Florida Statutes, shall be tolled to allow mediation of the disputed District decision. The mediation must be concluded within 60 days of the date of the parties' written agreement, or such other timeframe agreed to by the parties in writing. Any mediation agreement must include provisions for selecting a mediator, a statement that each party shall be responsible for paying its pro-rata share of the costs and fees associated with mediation, and the mediating parties' understanding regarding the confidentiality of discussions and documents introduced during mediation. If mediation results in settlement of the administrative dispute, the District will enter a final order consistent with the settlement agreement. If mediation terminates without settlement of the dispute, the District will notify all the parties in writing that the administrative hearing process under Sections 120.569 and 120.57, Florida Statutes, is resumed. Even if a party chooses not to engage in formal mediation, or if formal mediation does not result in a settlement agreement, the District will remain willing to engage in informal settlement discussions.
3. A person whose substantial interests are or may be affected has the right to an informal administrative hearing pursuant to Sections 120.569 and 120.57(2), Florida Statutes, where no material facts are in dispute. A petition for an informal hearing must also comply with the requirements set forth in Rule 28-106.301, Florida Administrative Code.

Notice Of Rights

4. A petition for an administrative hearing is deemed filed upon receipt of the complete petition by the District Clerk at the District Headquarters in Palatka, Florida during the District's regular business hours. The District's regular business hours are 8:00 a.m. – 5:00 p.m., excluding weekends and District holidays. Petitions received by the District Clerk after the District's regular business hours shall be deemed filed as of 8:00 a.m. on the District's next regular business day. The District's acceptance of petitions filed by e-mail is subject to certain conditions set forth in the District's Statement of Agency Organization and Operation (issued pursuant to Rule 28-101.001, Florida Administrative Code), which is available for viewing at www.sjrwmd.com. These conditions include, but are not limited to, the petition being in the form of a PDF or TIFF file and being capable of being stored and printed by the District. Further, pursuant to the District's Statement of Agency Organization and Operation, attempting to file a petition by facsimile is prohibited and shall not constitute filing.
5. Failure to file a petition for an administrative hearing within the requisite timeframe shall constitute a waiver of the right to an administrative hearing. (Rule 28-106.111, Florida Administrative Code).
6. The right to an administrative hearing and the relevant procedures to be followed are governed by Chapter 120, Florida Statutes, Chapter 28-106, Florida Administrative Code, and Rule 40C-1.1007, Florida Administrative Code. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means the District's final action may be different from the position taken by it in this notice. A person whose substantial interests are or may be affected by the District's final action has the right to become a party to the proceeding, in accordance with the requirements set forth above.
7. Pursuant to Section 120.68, Florida Statutes, a party to the proceeding before the District who is adversely affected by final District action may seek review of the action in the District Court of Appeal by filing a notice of appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, within 30 days of the rendering of the final District action.
8. A District action is considered rendered, as referred to in paragraph no. 7 above, after it is signed on behalf of the District and filed by the District Clerk.
9. Failure to observe the relevant timeframes for filing a petition for judicial review as described in paragraph no. 7 above will result in waiver of that right to review.

Notice Of Rights

Certificate of Service

I HEREBY CERTIFY that a copy of the foregoing Notice of Rights has been sent to the permittee:

Dewaine Christmas
Sunshine Utilities of Central Florida, Inc
10230 E Hwy 25
Bellevue, FL 34420-5531

This 18th day of November 2020.

A handwritten signature in black ink, appearing to read "Rich Burklew", with a long horizontal flourish extending to the right.

Richard Burklew, Bureau Chief

Permit Number: 3080-4

NOTICING INFORMATION

Please be advised that the St. Johns River Water Management District will not publish a notice in the newspaper advising the public that it has issued a permit for this project.

Newspaper publication, using the District's notice form, notifies members of the public of their right to challenge the issuance of the permit. If proper notice is given by newspaper publication, then there is a 21-day time limit for someone to file a petition for an administrative hearing to challenge the issuance of the permit.

To close the point of entry for filing a petition, you may publish (at your own expense) a one-time notice of the District's decision in a newspaper of general circulation within the affected area as defined in Section 50.011 of the Florida Statutes. If you do not publish a newspaper notice to close the point of entry, the time to challenge the issuance of your permit will not expire and someone could file a petition even after your project is constructed.

A copy of the notice form and a partial list of newspapers of general circulation are attached for your convenience. However, you are not limited to those listed newspapers. If you choose to close the point of entry and the notice is published, the newspaper will return to you an affidavit of publication. In that event, it is important that you either submit a scanned copy of the affidavit by emailing it to compliancesupport@sjrwmd.com (preferred method) or send a copy of the original affidavit to:

Office of Business and Administrative Services
4049 Reid Street
Palatka, FL 32177

If you have any questions, please contact the Office of Business and Administrative Services at (386) 329-4570.

NOTICE OF AGENCY ACTION TAKEN BY THE
ST. JOHNS RIVER WATER MANAGEMENT DISTRICT

Notice is given that on _____ the District issued Permit No. _____ for a Consumptive Use Permit to serve (type of project) _____ activities. The total allocation authorized is _____ mgd of (groundwater/surface water). The project is located in _____ County, Section(s) _____, Township _____ South, Range _____ East. The permit applicant is _____.

If you wish to receive a copy of a Technical Staff Report (TSR) that provides the St. Johns River Water Management District (District) staffs' analysis on the above-listed compliance report(s) and associated permit(s), please submit your request to Office Director, Office of Business and Administrative Services, PO Box 1429, Palatka, FL 32178-1429. You may view the TSR by going to the Permitting section of the District's website at www.sjrwmd.com/permitting/index.html. To obtain information on how to find and view a TSR, visit https://permitting.sjrwmd.com/epermitting/html/EP_FAQs.html, and then follow the directions provided under "How to find a Technical Staff Report (TSR) or other application file documents."

A person whose substantial interests are or may be affected has the right to request an administrative hearing by filing a written petition with the District. Pursuant to Chapter 28-106 and Rule 40C-1.1007, Florida Administrative Code (F.A.C.), the petition must be filed (received) either by delivery at the office of the District Clerk at District Headquarters, P. O. Box 1429, Palatka Florida 32178-1429 (4049 Reid St., Palatka, FL 32177) or by e-mail with the District Clerk at Clerk@sjrwmd.com, within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail or email actual notice). A petition for an administrative hearing is deemed filed upon receipt of the complete petition by the District Clerk at the District Headquarters in Palatka, Florida during the District's regular business hours. The District's regular business hours are 8 a.m. – 5 p.m., excluding weekends and District holidays. Petitions received by the District Clerk after the District's regular business hours shall be deemed filed as of 8 a.m. on the next regular District business day. A petition must comply with Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes (F.S.), and Chapter 28-106, F.A.C. The District's acceptance of petitions filed by e-mail is subject to certain conditions set forth in the District's Statement of Agency Organization and Operation (issued pursuant to Rule 28-101.001, F.A.C.), which is available for viewing at www.sjrwmd.com. The District will not accept a petition sent by facsimile (fax). Mediation may be available if you meet the conditions stated in the full Notice of Rights (see last paragraph).

The right to an administrative hearing and the relevant procedures to be followed are governed by Chapter 120, F.S., Chapter 28-106, F.A.C., and Rule 40C-1.1007, F.A.C. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means the District's final action may be different from the position taken by it in this notice. **Failure to file a petition for an administrative hearing within the requisite time frame shall constitute a waiver of the right to an administrative hearing. (Rule 28-106.111, F.A.C.).**

If you wish to do so, please visit http://www.sjrwmd.com/nor_dec/ to read the complete Notice of Rights to determine any legal rights you may have concerning the District's decision(s) on the Consumptive Use Permit Application(s) described above. You can also request the Notice of Rights by contacting the Office Director, Office of Business and Administrative Services, P. O. Box 1429, Palatka, FL 32178, phone (386)329-4570.

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904-356-2466 / fax 904-353-2628

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(386) 681-2322



St. Johns River Water Management District

Ann B. Shortelle, Ph.D., Executive Director

4049 Reid Street • P.O. Box 1429 • Palatka, FL 32178-1429 • (386) 329-4500
On the Internet at www.sjrwm.com.

August 24, 2020

Dewaine Christmas
Sunshine Utilities of Central Fla Inc
10230 E Highway 25
Bellevue, FL 34420-5531

SUBJECT: Oakhurst, Consumptive Use Permit Number 3132-3
Marion County, Florida

Dear Sir/Madam:

Enclosed is the permit authorized by the District on August 24, 2020. The enclosed permit is a legal document and should be kept with other important records. Please read the permit and conditions carefully because the referenced conditions may require submittal of additional information. Where possible, please submit all information required to comply with permit conditions electronically at www.sjrwm.com/permitting via the District's e-Permitting portal.

Please be advised that the District will not publish a notice in the newspaper advising the public that the permit has been issued. Enclosed is information on publishing notice of the permit. If a newspaper notice is not published to close the point of entry, the time to challenge the issuance of the permit will not expire. A potential petitioner has 26 days from the date on which the actual notice is deposited in the mail, or 21 days from publication of this notice when actual notice is not provided, within which to file a petition for an administrative hearing pursuant to Sections 120.569 and 120.57, *Florida Statutes*. Receipt of such a petition by the District may result in this permit becoming null and void. Also, enclosed is a copy of the Notice of Rights.

If you have any questions concerning the permit, please contact Daniel Gilmore in the Palatka Service Center at (386) 643-1949

Sincerely,

A handwritten signature in black ink that reads "Rich Burklew".

Richard Burklew, Bureau Chief
Water Use Regulation

GOVERNING BOARD

Douglas Burnett, CHAIRMAN
ST. AUGUSTINE

Ron Howse, TREASURER
COCOA

Douglas C. Bournique
VERO BEACH

Susan Dolan
SANFORD

ST. JOHNS RIVER WATER MANAGEMENT DISTRICT
Post Office Box 1429
Palatka, Florida 32178-1429

PERMIT NO: 3132-3

DATE ISSUED: August 24, 2020

PROJECT NAME: Oakhurst

A PERMIT AUTHORIZING:

The District authorizes, as limited by the attached permit conditions, the use of 11.92 million gallons per year (mgy) (0.032 million gallons per day (mgd), annual average) of groundwater from the Upper Floridan aquifer for public supply type uses through 2040.

LOCATION:

Site: Oakhurst
Marion County

SECTION(S):
24, 25

TOWNSHIP(S):
15S

RANGE(S):
22E

ISSUED TO:

Sunshine Utilities of Central Fla Inc
10230 E Highway 25
Bellevue, FL 34420-5531

The permittee agrees to hold and save the St. Johns River Water Management District and its successors harmless from any and all damages, claims, or liabilities which may arise from permit issuance. Said application, including all plans and specifications attached thereto, is by reference made a part hereof.

This permit does not convey to the permittee any property rights nor any rights or privileges other than those specified herein, nor relieve the permittee from complying with any applicable local government, state, or federal, rule, or ordinance.

This permit may be revoked, modified or transferred at any time pursuant to the appropriate provisions of Chapter 373, Florida Statutes and 40C-1, Florida Administrative Code.

PERMIT IS CONDITIONED UPON:

See conditions on attached "Exhibit A", dated August 24, 2020

AUTHORIZED BY: St. Johns River Water Management District
Division of Regulatory Services

By: 

Richard Burklew
Bureau Chief

"EXHIBIT A"
CONDITIONS FOR ISSUANCE OF PERMIT NUMBER 3132-3
Oakhurst
DATE ISSUED August 24, 2020

1. With advance notice to the permittee, District staff with proper identification shall have permission to enter, inspect, observe, collect samples, and take measurements of permitted facilities to determine compliance with the permit conditions and permitted plans and specifications. The permittee shall either accompany District staff onto the property or make provision for access onto the property.
2. Nothing in this permit should be construed to limit the authority of the St. Johns River Water Management District to declare a water shortage and issue orders pursuant to Chapter 373, F.S. In the event of a declared water shortage, the permittee must adhere to the water shortage restrictions, as specified by the District. The permittee is advised that during a water shortage, reports shall be submitted as required by District rule or order.
3. Prior to the construction, modification or abandonment of a well, the permittee must obtain a water well permit from the St. Johns River Water Management District or the appropriate local government pursuant to Chapter 40C-3, F.A.C. Construction, modification, or abandonment of a well will require modification of the consumptive use permit when such construction, modification, or abandonment is other than that specified and described on the consumptive use permit application form.
4. Leaking or inoperative well casings, valves, or controls must be repaired or replaced as required to eliminate the leak or make the system fully operational.
5. The permittee's consumptive use of water as authorized by this permit shall not interfere with legal uses of water existing at the time of permit application. If interference occurs, the District shall revoke the permit, in whole or in part, to curtail or abate the interference, unless the interference associated with the permittee's consumptive use of water is mitigated by the permittee pursuant to a District-approved plan.
6. The permittee's consumptive use of water as authorized by this permit shall not have significant adverse hydrologic impacts to off-site land uses existing at the time of permit application. If significant adverse hydrologic impacts occur, the District shall revoke the permit, in whole or in part, to curtail or abate the adverse impacts, unless the impacts associated with the permittee's consumptive use of water are mitigated by the permittee pursuant to a District-approved plan.
7. The permittee shall notify the District in writing within 30 days of any sale, transfer, or conveyance of ownership or any other loss of permitted legal control of the Project and/or related facilities from which the permitted consumptive use is made. Where permittee's control of the land subject to the permit was demonstrated through a lease, the permittee must either submit documentation showing that it continues to have legal control or transfer control of the permitted system/project to the new landowner or new lessee. All transfers of ownership are subject to the requirements of Rule 40C-1.612, F.A.C. Alternatively, the permittee may surrender the consumptive use permit to the District, thereby relinquishing the right to conduct any activities under the permit.
8. A District-issued identification tag shall be prominently displayed at each withdrawal site by permanently affixing such tag to the pump, headgate, valve, or other withdrawal facility as provided by Rule 40C-2.401, F.A.C. The permittee shall notify the District in the event that a replacement tag is needed.

9. The permittee's consumptive use of water as authorized by this permit shall not adversely impact wetlands, lakes, rivers, or springs. If adverse impacts occur, the District shall revoke the permit, in whole or in part, to curtail or abate the adverse impacts, unless the impacts associated with the permittee's consumptive use of water are mitigated by the permittee pursuant to a District-approved plan.
10. The permittee's consumptive use of water as authorized by this permit shall not reduce a flow or level below any minimum flow or level established by the District or the Department of Environmental Protection pursuant to Section 373.042 and 373.0421, F.S. If the permittee's use of water causes or contributes to such a reduction, then the District shall revoke the permit, in whole or in part, unless the permittee implements all provisions applicable to the permittee's use in a District-approved recovery or prevention strategy.
11. The permittee's consumptive use of water as authorized by the permit shall not cause or contribute to significant saline water intrusion. If significant saline water intrusion occurs, the District shall revoke the permit, in whole or in part, to curtail or abate the saline water intrusion, unless the saline water intrusion associated with the permittee's consumptive use of water is mitigated by the permittee pursuant to a District-approved plan.
12. The permittee's consumptive use of water as authorized by the permit shall not cause or contribute to flood damage. If the permittee's consumptive use causes or contributes to flood damage, the District shall revoke the permit, in whole or in part, to curtail or abate the flood damage, unless the flood damage associated with the permittee's consumptive use of water is mitigated by the permittee pursuant to a District-approved plan.
13. All consumptive uses authorized by this permit shall be implemented as conditioned by this permit, including any documents incorporated by reference in a permit condition. The District may revoke this permit, in whole or in part, or take enforcement action, pursuant to Section 373.136 or 373.243, F.S., unless a permit modification has been obtained to address the noncompliance. The permittee shall immediately notify the District in writing of any previously submitted information that is later discovered to be inaccurate.
14. This permit does not convey to the permittee any property rights or privileges other than those specified herein, nor relieve the permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.
15. A permittee may seek modification of any term of an unexpired permit. The permittee is advised that Section 373.239, F.S., and Rule 40C-2.331, F.A.C., are applicable to permit modifications.
16. This permit is subject to modification during the term of the permit, upon reasonable notice by the District to the permittee, to achieve compliance with any approved MFL recovery or prevention strategy for the Silver River or Silver Springs. Furthermore if determined necessary by the District, the permittee will mitigate for their contribution to declining spring flows at Silver Springs. Nothing herein shall be construed to alter the District's authority to modify a permit under circumstances not addressed in this condition.
17. The permittee shall meter all service connections.
18. All submittals made to demonstrate compliance with this permit must include CUP number 3123-3 labeled on the submittal. Submittals should be made on-line at www.sjrwmd.com/permitting whenever possible.
19. This permit will expire on August 21, 2040.

20. All irrigation shall be in conformity with the requirements set forth in subsection 40C-2.042(2), F.A.C.
21. Maximum annual groundwater withdrawals from the Upper Floridan aquifer for public supply type uses must not exceed 11.92 million gallons (0.032 mgd, annual average).
22. Well 1 (Station IDs 11327) must be equipped with totalizing flow meters. All flow meters must measure within +/- 5% of actual flow, be verifiable and be installed according to the manufacturer's specifications.
23. The permittee shall maintain monthly records of water use, by source, for the permitted project and shall provide the records to the District upon request. The records must be maintained for the life of the permit.
24. By January 31 each year, the permittee shall submit a completed Annual Statement of Continuing Use form to the District. The preferred method of submittal is www.sjrwmd.com/permitting.
25. In order to ensure that the volume of water withdrawn and recorded by the permittee is accurate to within +/- 5% of actual flow (+/- 10% of flow when using an alternative method), the meter accuracy or flow rate from each withdrawal point must be validated once every 10 years and recorded on either the Flow Meter Accuracy Report Form (EN-51) or Alternative Method Flow Verification Report Form (whichever form is applicable). The validation documents must be provided to the District upon request.
26. The permittee must maintain all flowmeters and alternative methods for measuring flow. In case of failure or breakdown of any meter, the District must be notified in writing within 5 days of its discovery. A defective meter must be repaired or replaced within 30 days of its discovery.
27. The permittee must implement the Water Conservation Plan submitted to the District on August 20, 2020, in accordance with the schedule contained therein.
28. The permittee shall use the lowest quality water source, such as reclaimed water, surface/storm water, or alternative water supply, to supply the needs of the project when deemed feasible pursuant to District rules and applicable state law.

Notice Of Rights

1. A person whose substantial interests are or may be affected has the right to request an administrative hearing by filing a written petition with the St. Johns River Water Management District (District). Pursuant to Chapter 28-106 and Rule 40C-1.1007, Florida Administrative Code, the petition must be filed (received) either by delivery at the office of the District Clerk at District Headquarters, P. O. Box 1429, Palatka Florida 32178-1429 (4049 Reid St., Palatka, FL 32177) or by e-mail with the District Clerk at Clerk@sjrwmd.com, within twenty-six (26) days of the District depositing the notice of District decision in the mail (for those persons to whom the District mails actual notice), within twenty-one (21) days of the District emailing the notice of District decision (for those persons to whom the District emails actual notice), or within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail or email actual notice). A petition must comply with Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes, and Chapter 28-106, Florida Administrative Code. The District will not accept a petition sent by facsimile (fax), as explained in paragraph no. 4 below.
2. Please be advised that if you wish to dispute this District decision, mediation may be available and that choosing mediation does not affect your right to an administrative hearing. If you wish to request mediation, you must do so in a timely-filed petition. If all parties, including the District, agree to the details of the mediation procedure, in writing, within 10 days after the time period stated in the announcement for election of an administrative remedy under Sections 120.569 and 120.57, Florida Statutes, the time limitations imposed by Sections 120.569 and 120.57, Florida Statutes, shall be tolled to allow mediation of the disputed District decision. The mediation must be concluded within 60 days of the date of the parties' written agreement, or such other timeframe agreed to by the parties in writing. Any mediation agreement must include provisions for selecting a mediator, a statement that each party shall be responsible for paying its pro-rata share of the costs and fees associated with mediation, and the mediating parties' understanding regarding the confidentiality of discussions and documents introduced during mediation. If mediation results in settlement of the administrative dispute, the District will enter a final order consistent with the settlement agreement. If mediation terminates without settlement of the dispute, the District will notify all the parties in writing that the administrative hearing process under Sections 120.569 and 120.57, Florida Statutes, is resumed. Even if a party chooses not to engage in formal mediation, or if formal mediation does not result in a settlement agreement, the District will remain willing to engage in informal settlement discussions.
3. A person whose substantial interests are or may be affected has the right to an informal administrative hearing pursuant to Sections 120.569 and 120.57(2), Florida Statutes, where no material facts are in dispute. A petition for an informal hearing must also comply with the requirements set forth in Rule 28-106.301, Florida Administrative Code.

Notice Of Rights

4. A petition for an administrative hearing is deemed filed upon receipt of the complete petition by the District Clerk at the District Headquarters in Palatka, Florida during the District's regular business hours. The District's regular business hours are 8:00 a.m. – 5:00 p.m., excluding weekends and District holidays. Petitions received by the District Clerk after the District's regular business hours shall be deemed filed as of 8:00 a.m. on the District's next regular business day. The District's acceptance of petitions filed by e-mail is subject to certain conditions set forth in the District's Statement of Agency Organization and Operation (issued pursuant to Rule 28-101.001, Florida Administrative Code), which is available for viewing at www.sjrwmd.com. These conditions include, but are not limited to, the petition being in the form of a PDF or TIFF file and being capable of being stored and printed by the District. Further, pursuant to the District's Statement of Agency Organization and Operation, attempting to file a petition by facsimile is prohibited and shall not constitute filing.
5. Failure to file a petition for an administrative hearing within the requisite timeframe shall constitute a waiver of the right to an administrative hearing. (Rule 28-106.111, Florida Administrative Code).
6. The right to an administrative hearing and the relevant procedures to be followed are governed by Chapter 120, Florida Statutes, Chapter 28-106, Florida Administrative Code, and Rule 40C-1.1007, Florida Administrative Code. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means the District's final action may be different from the position taken by it in this notice. A person whose substantial interests are or may be affected by the District's final action has the right to become a party to the proceeding, in accordance with the requirements set forth above.
7. Pursuant to Section 120.68, Florida Statutes, a party to the proceeding before the District who is adversely affected by final District action may seek review of the action in the District Court of Appeal by filing a notice of appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, within 30 days of the rendering of the final District action.
8. A District action is considered rendered, as referred to in paragraph no. 7 above, after it is signed on behalf of the District and filed by the District Clerk.
9. Failure to observe the relevant timeframes for filing a petition for judicial review as described in paragraph no. 7 above will result in waiver of that right to review.

Notice Of Rights

Certificate of Service

I HEREBY CERTIFY that a copy of the foregoing Notice of Rights has been sent to the permittee:

Dewaine Christmas
Sunshine Utilities of Central Fla Inc
10230 E Highway 25
Bellevue, FL 34420-5531

This 24th day of August 2020.

A handwritten signature in black ink that reads "Rich Burklew". The signature is written in a cursive, flowing style with a long horizontal stroke at the end.

Richard Burklew, Bureau Chief

Permit Number: 3132-3

NOTICING INFORMATION

Please be advised that the St. Johns River Water Management District will not publish a notice in the newspaper advising the public that it has issued a permit for this project.

Newspaper publication, using the District's notice form, notifies members of the public of their right to challenge the issuance of the permit. If proper notice is given by newspaper publication, then there is a 21-day time limit for someone to file a petition for an administrative hearing to challenge the issuance of the permit.

To close the point of entry for filing a petition, you may publish (at your own expense) a one-time notice of the District's decision in a newspaper of general circulation within the affected area as defined in Section 50.011 of the Florida Statutes. If you do not publish a newspaper notice to close the point of entry, the time to challenge the issuance of your permit will not expire and someone could file a petition even after your project is constructed.

A copy of the notice form and a partial list of newspapers of general circulation are attached for your convenience. However, you are not limited to those listed newspapers. If you choose to close the point of entry and the notice is published, the newspaper will return to you an affidavit of publication. In that event, it is important that you either submit a scanned copy of the affidavit by emailing it to compliancesupport@sjrwmd.com (preferred method) or send a copy of the original affidavit to:

Office of Business and Administrative Services
4049 Reid Street
Palatka, FL 32177

If you have any questions, please contact the Office of Business and Administrative Services at (386) 329-4570.

NOTICE OF AGENCY ACTION TAKEN BY THE
ST. JOHNS RIVER WATER MANAGEMENT DISTRICT

Notice is given that on _____ the District issued Permit No. _____ for a Consumptive Use Permit to serve (type of project) _____ activities. The total allocation authorized is _____ mgd of (groundwater/surface water). The project is located in _____ County, Section(s) _____, Township _____ South, Range _____ East. The permit applicant is _____.

If you wish to receive a copy of a Technical Staff Report (TSR) that provides the St. Johns River Water Management District (District) staffs' analysis on the above-listed compliance report(s) and associated permit(s), please submit your request to Office Director, Office of Business and Administrative Services, PO Box 1429, Palatka, FL 32178-1429. You may view the TSR by going to the Permitting section of the District's website at www.sjrwmd.com/permitting/index.html. To obtain information on how to find and view a TSR, visit https://permitting.sjrwmd.com/epermitting/html/EP_FAQs.html, and then follow the directions provided under "How to find a Technical Staff Report (TSR) or other application file documents."

A person whose substantial interests are or may be affected has the right to request an administrative hearing by filing a written petition with the District. Pursuant to Chapter 28-106 and Rule 40C-1.1007, Florida Administrative Code (F.A.C.), the petition must be filed (received) either by delivery at the office of the District Clerk at District Headquarters, P. O. Box 1429, Palatka Florida 32178-1429 (4049 Reid St., Palatka, FL 32177) or by e-mail with the District Clerk at Clerk@sjrwmd.com, within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail or email actual notice). A petition for an administrative hearing is deemed filed upon receipt of the complete petition by the District Clerk at the District Headquarters in Palatka, Florida during the District's regular business hours. The District's regular business hours are 8 a.m. – 5 p.m., excluding weekends and District holidays. Petitions received by the District Clerk after the District's regular business hours shall be deemed filed as of 8 a.m. on the next regular District business day. A petition must comply with Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes (F.S.), and Chapter 28-106, F.A.C. The District's acceptance of petitions filed by e-mail is subject to certain conditions set forth in the District's Statement of Agency Organization and Operation (issued pursuant to Rule 28-101.001, F.A.C.), which is available for viewing at www.sjrwmd.com. The District will not accept a petition sent by facsimile (fax). Mediation may be available if you meet the conditions stated in the full Notice of Rights (see last paragraph).

The right to an administrative hearing and the relevant procedures to be followed are governed by Chapter 120, F.S., Chapter 28-106, F.A.C., and Rule 40C-1.1007, F.A.C. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means the District's final action may be different from the position taken by it in this notice. **Failure to file a petition for an administrative hearing within the requisite time frame shall constitute a waiver of the right to an administrative hearing. (Rule 28-106.111, F.A.C.).**

If you wish to do so, please visit http://www.sjrwmd.com/nor_dec/ to read the complete Notice of Rights to determine any legal rights you may have concerning the District's decision(s) on the Consumptive Use Permit Application(s) described above. You can also request the Notice of Rights by contacting the Office Director, Office of Business and Administrative Services, P. O. Box 1429, Palatka, FL 32178, phone (386)329-4570.

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St. Johns River Water Management District

Ann B. Shortelle, Ph.D., Executive Director

4049 Reid Street • P.O. Box 1429 • Palatka, FL 32178-1429 • (386) 329-4500
On the Internet at www.sjrwmd.com.

June 13, 2019

Dewaine Christmas
Sunshine Utilities of Central Florida Inc
10230 E Highway 25
Bellevue, FL 34420-5531

SUBJECT: Ocala Heights, Consumptive Use Permit Number 3019-5
Marion County, Florida

Dear Sir/Madam:

Enclosed is the permit authorized by the District on June 13, 2019. The enclosed permit is a legal document and should be kept with other important records. Please read the permit and conditions carefully because the referenced conditions may require submittal of additional information. Where possible, please submit all information required to comply with permit conditions electronically at www.sjrwmd.com/permitting via the District's e-Permitting portal.

Please be advised that the District will not publish a notice in the newspaper advising the public that the permit has been issued. Enclosed is information on publishing notice of the permit. If a newspaper notice is not published to close the point of entry, the time to challenge the issuance of the permit will not expire. A potential petitioner has 26 days from the date on which the actual notice is deposited in the mail, or 21 days from publication of this notice when actual notice is not provided, within which to file a petition for an administrative hearing pursuant to Sections 120.569 and 120.57, *Florida Statutes*. Receipt of such a petition by the District may result in this permit becoming null and void. Also, enclosed is a copy of the Notice of Rights.

If you have any questions concerning the permit, please contact Emily Wakley in the Maitland Service Center at (407) 659-4827

Sincerely,

A handwritten signature in black ink that reads "Rich Burklew".

Richard Burklew, Bureau Chief
Water Use Regulation

GOVERNING BOARD

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COCOA

Susan Dolan
SANFORD

ST. JOHNS RIVER WATER MANAGEMENT DISTRICT
Post Office Box 1429
Palatka, Florida 32178-1429

PERMIT NO: 3019-5

DATE ISSUED: June 13, 2019

PROJECT NAME: Ocala Heights

A PERMIT AUTHORIZING:

The District authorizes, as limited by the attached permit conditions, the use of 29.49 million gallons per year (mgy) (0.081 mgd, annual average) of groundwater from the Upper Floridan aquifer for public supply type uses to serve a projected population of 1,050 through 2039.

LOCATION:

Site: Ocala Heights
Marion County

SECTION(S):
18

TOWNSHIP(S):
15S

RANGE(S):
23E

ISSUED TO:

Dewaine Christmas
Sunshine Utilities of Central Florida Inc
10230 E Highway 25
Bellevue, FL 34420-5531

The permittee agrees to hold and save the St. Johns River Water Management District and its successors harmless from any and all damages, claims, or liabilities which may arise from permit issuance. Said application, including all plans and specifications attached thereto, is by reference made a part hereof.

This permit does not convey to the permittee any property rights nor any rights or privileges other than those specified herein, nor relieve the permittee from complying with any applicable local government, state, or federal, rule, or ordinance.

This permit may be revoked, modified or transferred at any time pursuant to the appropriate provisions of Chapter 373, Florida Statutes and 40C-1, Florida Administrative Code.

PERMIT IS CONDITIONED UPON:

See conditions on attached "Exhibit A", dated June 13, 2019

AUTHORIZED BY: St. Johns River Water Management District
Division of Regulatory Services

By: 

Richard Burklew
Bureau Chief

"EXHIBIT A"
CONDITIONS FOR ISSUANCE OF PERMIT NUMBER 3019-5
Ocala Heights
DATE ISSUED June 13, 2019

1. With advance notice to the permittee, District staff with proper identification shall have permission to enter, inspect, observe, collect samples, and take measurements of permitted facilities to determine compliance with the permit conditions and permitted plans and specifications. The permittee shall either accompany District staff onto the property or make provision for access onto the property.
2. Nothing in this permit should be construed to limit the authority of the St. Johns River Water Management District to declare a water shortage and issue orders pursuant to Chapter 373, F.S. In the event of a declared water shortage, the permittee must adhere to the water shortage restrictions, as specified by the District. The permittee is advised that during a water shortage, reports shall be submitted as required by District rule or order.
3. Prior to the construction, modification or abandonment of a well, the permittee must obtain a water well permit from the St. Johns River Water Management District or the appropriate local government pursuant to Chapter 40C-3, F.A.C. Construction, modification, or abandonment of a well will require modification of the consumptive use permit when such construction, modification, or abandonment is other than that specified and described on the consumptive use permit application form.
4. Leaking or inoperative well casings, valves, or controls must be repaired or replaced as required to eliminate the leak or make the system fully operational.
5. The permittee's consumptive use of water as authorized by this permit shall not interfere with legal uses of water existing at the time of permit application. If interference occurs, the District shall revoke the permit, in whole or in part, to curtail or abate the interference, unless the interference associated with the permittee's consumptive use of water is mitigated by the permittee pursuant to a District-approved plan.
6. The permittee's consumptive use of water as authorized by this permit shall not have significant adverse hydrologic impacts to off-site land uses existing at the time of permit application. If significant adverse hydrologic impacts occur, the District shall revoke the permit, in whole or in part, to curtail or abate the adverse impacts, unless the impacts associated with the permittee's consumptive use of water are mitigated by the permittee pursuant to a District-approved plan.
7. The permittee shall notify the District in writing within 30 days of any sale, transfer, or conveyance of ownership or any other loss of permitted legal control of the Project and/or related facilities from which the permitted consumptive use is made. Where permittee's control of the land subject to the permit was demonstrated through a lease, the permittee must either submit documentation showing that it continues to have legal control or transfer control of the permitted system/project to the new landowner or new lessee. All transfers of ownership are subject to the requirements of Rule 40C-1.612, F.A.C. Alternatively, the permittee may surrender the consumptive use permit to the District, thereby relinquishing the right to conduct any activities under the permit.
8. A District-issued identification tag shall be prominently displayed at each withdrawal site by permanently affixing such tag to the pump, headgate, valve, or other withdrawal facility as provided by Rule 40C-2.401, F.A.C. The permittee shall notify the District in the event that a replacement tag is needed.

9. The permittee's consumptive use of water as authorized by this permit shall not adversely impact wetlands, lakes, rivers, or springs. If adverse impacts occur, the District shall revoke the permit, in whole or in part, to curtail or abate the adverse impacts, unless the impacts associated with the permittee's consumptive use of water are mitigated by the permittee pursuant to a District-approved plan.
10. The permittee's consumptive use of water as authorized by this permit shall not reduce a flow or level below any minimum flow or level established by the District or the Department of Environmental Protection pursuant to Section 373.042 and 373.0421, F.S. If the permittee's use of water causes or contributes to such a reduction, then the District shall revoke the permit, in whole or in part, unless the permittee implements all provisions applicable to the permittee's use in a District-approved recovery or prevention strategy.
11. The permittee's consumptive use of water as authorized by the permit shall not cause or contribute to significant saline water intrusion. If significant saline water intrusion occurs, the District shall revoke the permit, in whole or in part, to curtail or abate the saline water intrusion, unless the saline water intrusion associated with the permittee's consumptive use of water is mitigated by the permittee pursuant to a District-approved plan.
12. The permittee's consumptive use of water as authorized by the permit shall not cause or contribute to flood damage. If the permittee's consumptive use causes or contributes to flood damage, the District shall revoke the permit, in whole or in part, to curtail or abate the flood damage, unless the flood damage associated with the permittee's consumptive use of water is mitigated by the permittee pursuant to a District-approved plan.
13. All consumptive uses authorized by this permit shall be implemented as conditioned by this permit, including any documents incorporated by reference in a permit condition. The District may revoke this permit, in whole or in part, or take enforcement action, pursuant to Section 373.136 or 373.243, F.S., unless a permit modification has been obtained to address the noncompliance. The permittee shall immediately notify the District in writing of any previously submitted information that is later discovered to be inaccurate.
14. This permit does not convey to the permittee any property rights or privileges other than those specified herein, nor relieve the permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.
15. A permittee may seek modification of any term of an unexpired permit. The permittee is advised that Section 373.239, F.S., and Rule 40C-2.331, F.A.C., are applicable to permit modifications.
16. All irrigation shall be in conformity with the requirements set forth in subsection 40C-2.042(2), F.A.C.
17. The permittee shall meter all service connections.
18. All submittals made to demonstrate compliance with this permit must include CUP number 3019 labeled on the submittal. Submittals should be made on-line at www.sjrwmd.com/permitting whenever possible.
19. This permit will expire on June 13, 2039.
20. Maximum annual groundwater withdrawals from the Upper Floridan aquifer from Wells A and B (Station IDs 10851 and 10852, respectively) for public supply type use must not exceed 29.49 million gallons.

21. All wells must continue to be equipped with totalizing flow meters. All flow meters must measure within +/- 5% of actual flow, be verifiable and be installed according to the manufacturer's specifications.
22. The permittee shall maintain monthly records of water use, by source, for the permitted project and shall provide the records to the District upon request. The records must be maintained for the life of the permit.
23. By January 31 each year, the permittee shall submit a completed Annual Statement of Continuing Use form to the District. The preferred method of submittal is www.sjrwm.com/permitting.
24. In order to ensure that the volume of water withdrawn and recorded by the permittee is accurate to within +/- 5% of actual flow (+/- 10% of flow when using an alternative method), the meter accuracy or flow rate from each withdrawal point must be validated once every 10 years and recorded on either the Flow Meter Accuracy Report Form (EN-51) or Alternative Method Flow Verification Report Form (whichever form is applicable). The validation documents must be provided to the District upon request.
25. The permittee must maintain all flowmeters and alternative methods for measuring flow. In case of failure or breakdown of any meter, the District must be notified in writing within 5 days of its discovery. A defective meter must be repaired or replaced within 30 days of its discovery.
26. The permittee must implement the Water Conservation Plan submitted to the District on June 7, 2019, in accordance with the schedule contained therein.
27. The permittee shall use the lowest quality water source, such as reclaimed water, surface/storm water, or alternative water supply, to supply the needs of the project when deemed feasible pursuant to District rules and applicable state law.
28. This permit is subject to modification during the term of the permit, upon reasonable notice by the District to the permittee, to achieve compliance with any approved MFL recovery or prevention strategy for the Silver River or Silver Springs. Furthermore if determined necessary by the District, the permittee will mitigate for their contribution to declining spring flows at Silver Springs. Nothing herein shall be construed to alter the District's authority to modify a permit under circumstances not addressed in this condition.

Notice Of Rights

1. A person whose substantial interests are or may be affected has the right to request an administrative hearing by filing a written petition with the St. Johns River Water Management District (District). Pursuant to Chapter 28-106 and Rule 40C-1.1007, Florida Administrative Code, the petition must be filed (received) either by delivery at the office of the District Clerk at District Headquarters, P. O. Box 1429, Palatka Florida 32178-1429 (4049 Reid St., Palatka, FL 32177) or by e-mail with the District Clerk at Clerk@sjrwmd.com, within twenty-six (26) days of the District depositing the notice of District decision in the mail (for those persons to whom the District mails actual notice), within twenty-one (21) days of the District emailing the notice of District decision (for those persons to whom the District emails actual notice), or within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail or email actual notice). A petition must comply with Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes, and Chapter 28-106, Florida Administrative Code. The District will not accept a petition sent by facsimile (fax), as explained in paragraph no. 4 below.
2. Please be advised that if you wish to dispute this District decision, mediation may be available and that choosing mediation does not affect your right to an administrative hearing. If you wish to request mediation, you must do so in a timely-filed petition. If all parties, including the District, agree to the details of the mediation procedure, in writing, within 10 days after the time period stated in the announcement for election of an administrative remedy under Sections 120.569 and 120.57, Florida Statutes, the time limitations imposed by Sections 120.569 and 120.57, Florida Statutes, shall be tolled to allow mediation of the disputed District decision. The mediation must be concluded within 60 days of the date of the parties' written agreement, or such other timeframe agreed to by the parties in writing. Any mediation agreement must include provisions for selecting a mediator, a statement that each party shall be responsible for paying its pro-rata share of the costs and fees associated with mediation, and the mediating parties' understanding regarding the confidentiality of discussions and documents introduced during mediation. If mediation results in settlement of the administrative dispute, the District will enter a final order consistent with the settlement agreement. If mediation terminates without settlement of the dispute, the District will notify all the parties in writing that the administrative hearing process under Sections 120.569 and 120.57, Florida Statutes, is resumed. Even if a party chooses not to engage in formal mediation, or if formal mediation does not result in a settlement agreement, the District will remain willing to engage in informal settlement discussions.
3. A person whose substantial interests are or may be affected has the right to an informal administrative hearing pursuant to Sections 120.569 and 120.57(2), Florida Statutes, where no material facts are in dispute. A petition for an informal hearing must also comply with the requirements set forth in Rule 28-106.301, Florida Administrative Code.

Notice Of Rights

4. A petition for an administrative hearing is deemed filed upon receipt of the complete petition by the District Clerk at the District Headquarters in Palatka, Florida during the District's regular business hours. The District's regular business hours are 8:00 a.m. – 5:00 p.m., excluding weekends and District holidays. Petitions received by the District Clerk after the District's regular business hours shall be deemed filed as of 8:00 a.m. on the District's next regular business day. The District's acceptance of petitions filed by e-mail is subject to certain conditions set forth in the District's Statement of Agency Organization and Operation (issued pursuant to Rule 28-101.001, Florida Administrative Code), which is available for viewing at www.sjrwmd.com. These conditions include, but are not limited to, the petition being in the form of a PDF or TIFF file and being capable of being stored and printed by the District. Further, pursuant to the District's Statement of Agency Organization and Operation, attempting to file a petition by facsimile is prohibited and shall not constitute filing.
5. Failure to file a petition for an administrative hearing within the requisite timeframe shall constitute a waiver of the right to an administrative hearing. (Rule 28-106.111, Florida Administrative Code).
6. The right to an administrative hearing and the relevant procedures to be followed are governed by Chapter 120, Florida Statutes, Chapter 28-106, Florida Administrative Code, and Rule 40C-1.1007, Florida Administrative Code. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means the District's final action may be different from the position taken by it in this notice. A person whose substantial interests are or may be affected by the District's final action has the right to become a party to the proceeding, in accordance with the requirements set forth above.
7. Pursuant to Section 120.68, Florida Statutes, a party to the proceeding before the District who is adversely affected by final District action may seek review of the action in the District Court of Appeal by filing a notice of appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, within 30 days of the rendering of the final District action.
8. A District action is considered rendered, as referred to in paragraph no. 7 above, after it is signed on behalf of the District and filed by the District Clerk.
9. Failure to observe the relevant timeframes for filing a petition for judicial review as described in paragraph no. 7 above will result in waiver of that right to review.

Notice Of Rights

Certificate of Service

I HEREBY CERTIFY that a copy of the foregoing Notice of Rights has been sent to the permittee:

Dewaine Christmas
Sunshine Utilities of Central Florida Inc
10230 E Highway 25
Bellevue, FL 34420-5531

This 13th day of June, 2019.

A handwritten signature in black ink, appearing to read "Rich Burklew", with a long horizontal flourish extending to the right.

Richard Burklew, Bureau Chief

Permit Number: 3019-5

NOTICING INFORMATION

Please be advised that the St. Johns River Water Management District will not publish a notice in the newspaper advising the public that it has issued a permit for this project.

Newspaper publication, using the District's notice form, notifies members of the public of their right to challenge the issuance of the permit. If proper notice is given by newspaper publication, then there is a 21-day time limit for someone to file a petition for an administrative hearing to challenge the issuance of the permit.

To close the point of entry for filing a petition, you may publish (at your own expense) a one-time notice of the District's decision in a newspaper of general circulation within the affected area as defined in Section 50.011 of the Florida Statutes. If you do not publish a newspaper notice to close the point of entry, the time to challenge the issuance of your permit will not expire and someone could file a petition even after your project is constructed.

A copy of the notice form and a partial list of newspapers of general circulation are attached for your convenience. However, you are not limited to those listed newspapers. If you choose to close the point of entry and the notice is published, the newspaper will return to you an affidavit of publication. In that event, it is important that you either submit a scanned copy of the affidavit by emailing it to compliancesupport@sjrwmd.com (preferred method) or send a copy of the original affidavit to:

Office of Business and Administrative Services
4049 Reid Street
Palatka, FL 32177

If you have any questions, please contact the Office of Business and Administrative Services at (386) 329-4570.

NOTICE OF AGENCY ACTION TAKEN BY THE
ST. JOHNS RIVER WATER MANAGEMENT DISTRICT

Notice is given that on _____ the District issued Permit No. _____ for a Consumptive Use Permit to serve (type of project) _____ activities. The total allocation authorized is _____ mgd of (groundwater/surface water). The project is located in _____ County, Section(s) _____, Township _____ South, Range _____ East. The permit applicant is _____.

If you wish to receive a copy of a Technical Staff Report (TSR) that provides the St. Johns River Water Management District (District) staffs' analysis on the above-listed compliance report(s) and associated permit(s), please submit your request to Office Director, Office of Business and Administrative Services, PO Box 1429, Palatka, FL 32178-1429. You may view the TSR by going to the Permitting section of the District's website at www.sjrwmd.com/permitting/index.html. To obtain information on how to find and view a TSR, visit https://permitting.sjrwmd.com/epermitting/html/EP_FAQs.html, and then follow the directions provided under "How to find a Technical Staff Report (TSR) or other application file documents."

A person whose substantial interests are or may be affected has the right to request an administrative hearing by filing a written petition with the District. Pursuant to Chapter 28-106 and Rule 40C-1.1007, Florida Administrative Code (F.A.C.), the petition must be filed (received) either by delivery at the office of the District Clerk at District Headquarters, P. O. Box 1429, Palatka Florida 32178-1429 (4049 Reid St., Palatka, FL 32177) or by e-mail with the District Clerk at Clerk@sjrwmd.com, within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail or email actual notice). A petition for an administrative hearing is deemed filed upon receipt of the complete petition by the District Clerk at the District Headquarters in Palatka, Florida during the District's regular business hours. The District's regular business hours are 8 a.m. – 5 p.m., excluding weekends and District holidays. Petitions received by the District Clerk after the District's regular business hours shall be deemed filed as of 8 a.m. on the next regular District business day. A petition must comply with Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes (F.S.), and Chapter 28-106, F.A.C. The District's acceptance of petitions filed by e-mail is subject to certain conditions set forth in the District's Statement of Agency Organization and Operation (issued pursuant to Rule 28-101.001, F.A.C.), which is available for viewing at www.sjrwmd.com. The District will not accept a petition sent by facsimile (fax). Mediation may be available if you meet the conditions stated in the full Notice of Rights (see last paragraph).

The right to an administrative hearing and the relevant procedures to be followed are governed by Chapter 120, F.S., Chapter 28-106, F.A.C., and Rule 40C-1.1007, F.A.C. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means the District's final action may be different from the position taken by it in this notice. **Failure to file a petition for an administrative hearing within the requisite time frame shall constitute a waiver of the right to an administrative hearing. (Rule 28-106.111, F.A.C.).**

If you wish to do so, please visit http://www.sjrwmd.com/nor_dec/ to read the complete Notice of Rights to determine any legal rights you may have concerning the District's decision(s) on the Consumptive Use Permit Application(s) described above. You can also request the Notice of Rights by contacting the Office Director, Office of Business and Administrative Services, P. O. Box 1429, Palatka, FL 32178, phone (386)329-4570.

NEWSPAPER ADVERTISING

ALACHUA

The Alachua County Record, Legal Advertising
P. O. Box 806
Gainesville, FL 32602
352-377-2444/ fax 352-338-1986

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P. O. Drawer A
Starke, FL 32901
904-964-6305/ fax 904-964-8628

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1560 Kinsley Ave., Suite 1
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Palatka Daily News, Legal Advertising
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Palatka, FL 32178
386-312-5200/ fax 386-312-5209

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300 North French Avenue
Sanford, FL 32771
407-323-9408

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407-420-5160/ fax 407-420-5011

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St. Augustine, FL 32085
904-819-3439

VOLUSIA

News Journal Corporation, Legal Advertising
P. O. Box 2831
Daytona Beach, FL 32120-2831
(386) 681-2322



St. Johns River Water Management District

Ann B. Shortelle, Ph.D., Executive Director

4049 Reid Street • P.O. Box 1429 • Palatka, FL 32178-1429 • (386) 329-4500
On the Internet at www.sjrwmd.com.

February 1, 2018

Dewaine Christmas
Sunshine Utilities of Central Florida Inc
10230 E Highway 25
Bellevue, FL 34420-5531

SUBJECT: Consumptive Use Permit Number 2996-4
Sunlight Acres

Dear Sir/Madam:

Enclosed is your permit authorized by the St. Johns River Water Management District on February 1, 2018.

Please be advised that the period of time within which a third party may request an administrative hearing on this permit may not have expired by the date of issuance. A potential petitioner has twenty-six (26) days from the date on which the actual notice is deposited in the mail, or twenty-one (21) days from publication of this notice when actual notice is not provided, within which to file a petition for an administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes. Receipt of such a petition by the District may result in this permit becoming null and void.

Also, be advised that the District will not publish a notice in the newspaper advising the public that it has issued this permit. Enclosed is information on publishing notice of the permit. If you do not publish a newspaper notice to close the point of entry, the time to challenge the issuance of your permit will not expire.

The enclosed permit is a legal document and should be kept with your other important records. Please read the permit and conditions carefully since the referenced conditions may require submittal of additional information. Where possible, please submit all information required to comply with permit conditions, electronically, at www.sjrwmd.com/permitting via the District's e-Permitting portal. If you have any questions concerning the conditions of your permit, please contact Molly Klinepeter in the Palatka Office at (386) 643-1961.

Sincerely,

Margaret Daniels, Office Director
Office of Business and Administrative Services

GOVERNING BOARD

John A. Miklos, CHAIRMAN
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ST. AUGUSTINE

Susan Dolan
SANFORD

Janet Price
FERNANDINA BEACH

ST. JOHNS RIVER WATER MANAGEMENT DISTRICT
Post Office Box 1429
Palatka, Florida 32178-1429

PERMIT NO: 2996-4

DATE ISSUED: February 1, 2018

PROJECT NAME: Sunlight Acres

A PERMIT AUTHORIZING:

The District authorizes, as limited by the attached permit conditions, the use of 6.5 million gallons per year (mgy) of groundwater from the Upper Floridan aquifer for public supply for approximately 202 people.

LOCATION:

Site: Sunlight Acres
Marion County

SECTION(S):
10

TOWNSHIP(S):
17S

RANGE(S):
22E

ISSUED TO:

Sunshine Utilities of Central Florida Inc
10230 E Highway 25
Bellevue, FL 34420-5531

The permittee agrees to hold and save the St. Johns River Water Management District and its successors harmless from any and all damages, claims, or liabilities which may arise from permit issuance. Said application, including all plans and specifications attached thereto, is by reference made a part hereof.

This permit does not convey to the permittee any property rights nor any rights or privileges other than those specified herein, nor relieve the permittee from complying with any law, regulation or requirement affecting the rights of other bodies or agencies.

This permit may be revoked, modified or transferred at any time pursuant to the appropriate provisions of Chapter 373, Florida Statutes and 40C-1, Florida Administrative Code.

PERMIT IS CONDITIONED UPON:

See conditions on attached "Exhibit A", dated February 1, 2018

AUTHORIZED BY: St. Johns River Water Management District
Division of Regulatory Services

By: 

Marc vonCanal
Regulatory Coordinator

"EXHIBIT A"
CONDITIONS FOR ISSUANCE OF PERMIT NUMBER 2996-4
Sunlight Acres
DATE ISSUED February 01, 2018

1. With advance notice to the permittee, District staff with proper identification shall have permission to enter, inspect, observe, collect samples, and take measurements of permitted facilities to determine compliance with the permit conditions and permitted plans and specifications. The permittee shall either accompany District staff onto the property or make provision for access onto the property.
2. Nothing in this permit should be construed to limit the authority of the St. Johns River Water Management District to declare a water shortage and issue orders pursuant to Chapter 373, F.S. In the event of a declared water shortage, the permittee must adhere to the water shortage restrictions, as specified by the District. The permittee is advised that during a water shortage, reports shall be submitted as required by District rule or order.
3. Prior to the construction, modification or abandonment of a well, the permittee must obtain a water well permit from the St. Johns River Water Management District or the appropriate local government pursuant to Chapter 40C-3, F.A.C. Construction, modification, or abandonment of a well will require modification of the consumptive use permit when such construction, modification, or abandonment is other than that specified and described on the consumptive use permit application form.
4. Leaking or inoperative well casings, valves, or controls must be repaired or replaced as required to eliminate the leak or make the system fully operational.
5. The permittee's consumptive use of water as authorized by this permit shall not interfere with legal uses of water existing at the time of permit application. If interference occurs, the District shall revoke the permit, in whole or in part, to curtail or abate the interference, unless the interference associated with the permittee's consumptive use of water is mitigated by the permittee pursuant to a District-approved plan.
6. The permittee's consumptive use of water as authorized by this permit shall not have significant adverse hydrologic impacts to off-site land uses existing at the time of permit application. If significant adverse hydrologic impacts occur, the District shall revoke the permit, in whole or in part, to curtail or abate the adverse impacts, unless the impacts associated with the permittee's consumptive use of water are mitigated by the permittee pursuant to a District-approved plan.
7. The District must be notified, in writing, within 30 days of any sale, conveyance, or other transfer of a well or facility from which the permitted consumptive use is made or within 30 days of any transfer of ownership or control of the real property at which the permitted consumptive use is located. All transfers of ownership or transfers of permits are subject to the provisions of section 400-1.612, Florida Administrative Code.
8. A District issued identification tag shall be prominently displayed at each withdrawal site by permanently affixing such tag to the pump, headgate, valve or other withdrawal facility as provided by Section 40C-2.401, Florida Administrative Code. Permittee shall notify the District in the event that a replacement tag is needed.

9. The permittee's consumptive use of water as authorized by this permit shall not adversely impact wetlands, lakes, rivers, or springs. If adverse impacts occur, the District shall revoke the permit, in whole or in part, to curtail or abate the adverse impacts, unless the impacts associated with the permittee's consumptive use of water are mitigated by the permittee pursuant to a District-approved plan.
10. The permittee's consumptive use of water as authorized by this permit shall not reduce a flow or level below any minimum flow or level established by the District or the Department of Environmental Protection pursuant to Section 373.042 and 373.0421, F.S. If the permittee's use of water causes or contributes to such a reduction, then the District shall revoke the permit, in whole or in part, unless the permittee implements all provisions applicable to the permittee's use in a District-approved recovery or prevention strategy.
11. The permittee's consumptive use of water as authorized by the permit shall not cause or contribute to significant saline water intrusion. If significant saline water intrusion occurs, the District shall revoke the permit, in whole or in part, to curtail or abate the saline water intrusion, unless the saline water intrusion associated with the permittee's consumptive use of water is mitigated by the permittee pursuant to a District-approved plan.
12. The permittee's consumptive use of water as authorized by the permit shall not cause or contribute to flood damage. If the permittee's consumptive use causes or contributes to flood damage, the District shall revoke the permit, in whole or in part, to curtail or abate the flood damage, unless the flood damage associated with the permittee's consumptive use of water is mitigated by the permittee pursuant to a District-approved plan.
13. All consumptive uses authorized by this permit shall be implemented as conditioned by this permit, including any documents incorporated by reference in a permit condition. The District may revoke this permit, in whole or in part, or take enforcement action, pursuant to Section 373.136 or 373.243, F.S., unless a permit modification has been obtained to address the noncompliance. The permittee shall immediately notify the District in writing of any previously submitted information that is later discovered to be inaccurate.
14. This permit does not convey to the permittee any property rights or privileges other than those specified herein, nor relieve the permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.
15. A permittee may seek modification of any term of an unexpired permit. The permittee is advised that Section 373.239, F.S., and Rule 40C-2.331, F.A.C., are applicable to permit modifications.
16. This permit is subject to modification during the term of the permit, upon reasonable notice by the District to the permittee, to achieve compliance with any approved MFL recovery or prevention strategy for the Silver River or Silver Springs. Furthermore if determined necessary by the District, the permittee will mitigate for their contribution to declining spring flows at Silver Springs. Nothing herein shall be construed to alter the District's authority to modify a permit under circumstances not addressed in this condition.
17. All submittals made to demonstrate compliance with this permit must include the permit number 2996-4 plainly labeled. Submittals should be made on-line at www.sjrwmd.com/permitting whenever possible.
18. Maximum annual groundwater withdrawals from the Upper Floridan aquifer for public supply must not exceed 6.5 million gallons per year (mgy).
19. This permit will expire on February 1, 2038.

20. The permittee shall use the lowest quality water source, such as reclaimed water, surface/storm water, or alternative water supply, to supply the needs of the project when deemed feasible pursuant to District rules and applicable state law.
21. The permittee shall maintain monthly records of water use, by source, for the permitted project and shall provide the records to the District upon request. The records must be maintained for the life of the permit.
22. In order to ensure that the volume of water withdrawn and recorded by the permittee is accurate to within +/- 5% of actual flow (+/- 10% of flow when using an alternative method), the meter accuracy or flow rate from each withdrawal point must be validated once every 10 years and recorded on either the Flow Meter Accuracy Report Form (EN-51) or Alternative Method Flow Verification Report Form (whichever form is applicable). The validation documents must be provided to the District upon request.
23. By January 31 each year, the permittee shall submit a completed Annual Statement of Continuing Use form to the District. The preferred method of submittal is www.sjrwmd.com/permitting.

Notice of Rights

1. A person whose substantial interests are or may be affected has the right to request an administrative hearing by filing a written petition with the St. Johns River Water Management District (District). Pursuant to Chapter 28-106 and Rule 40C-1.1007, Florida Administrative Code, the petition must be filed (received) either by delivery at the office of the District Clerk at District Headquarters, P. O. Box 1429, Palatka Florida 32178-1429 (4049 Reid St., Palatka, FL 32177) or by e-mail with the District Clerk at Clerk@sjrwmd.com, within twenty-six (26) days of the District depositing the notice of District decision in the mail (for those persons to whom the District mails actual notice), within twenty-one (21) days of the District emailing the notice of District decision (for those persons to whom the District emails actual notice), or within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail or email actual notice). A petition must comply with Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes, and Chapter 28-106, Florida Administrative Code. The District will not accept a petition sent by facsimile (fax), as explained in paragraph no. 4 below.
2. Please be advised that if you wish to dispute this District decision, mediation may be available and that choosing mediation does not affect your right to an administrative hearing. If you wish to request mediation, you must do so in a timely-filed petition. If all parties, including the District, agree to the details of the mediation procedure, in writing, within 10 days after the time period stated in the announcement for election of an administrative remedy under Sections 120.569 and 120.57, Florida Statutes, the time limitations imposed by Sections 120.569 and 120.57, Florida Statutes, shall be tolled to allow mediation of the disputed District decision. The mediation must be concluded within 60 days of the date of the parties' written agreement, or such other timeframe agreed to by the parties in writing. Any mediation agreement must include provisions for selecting a mediator, a statement that each party shall be responsible for paying its pro-rata share of the costs and fees associated with mediation, and the mediating parties' understanding regarding the confidentiality of discussions and documents introduced during mediation. If mediation results in settlement of the administrative dispute, the District will enter a final order consistent with the settlement agreement. If mediation terminates without settlement of the dispute, the District will notify all the parties in writing that the administrative hearing process under Sections 120.569 and 120.57, Florida Statutes, is resumed. Even if a party chooses not to engage in formal mediation, or if formal mediation does not result in a settlement agreement, the District will remain willing to engage in informal settlement discussions.
3. A person whose substantial interests are or may be affected has the right to an informal administrative hearing pursuant to Sections 120.569 and 120.57(2), Florida Statutes, where no material facts are in dispute. A petition for an informal hearing must also comply with the requirements set forth in Rule 28-106.301, Florida Administrative Code.

Notice of Rights

4. A petition for an administrative hearing is deemed filed upon receipt of the complete petition by the District Clerk at the District Headquarters in Palatka, Florida during the District's regular business hours. The District's regular business hours are 8:00 a.m. – 5:00 p.m., excluding weekends and District holidays. Petitions received by the District Clerk after the District's regular business hours shall be deemed filed as of 8:00 a.m. on the District's next regular business day. The District's acceptance of petitions filed by e-mail is subject to certain conditions set forth in the District's Statement of Agency Organization and Operation (issued pursuant to Rule 28-101.001, Florida Administrative Code), which is available for viewing at www.sjrwmd.com. These conditions include, but are not limited to, the petition being in the form of a PDF or TIFF file and being capable of being stored and printed by the District. Further, pursuant to the District's Statement of Agency Organization and Operation, attempting to file a petition by facsimile is prohibited and shall not constitute filing.
5. Failure to file a petition for an administrative hearing within the requisite timeframe shall constitute a waiver of the right to an administrative hearing. (Rule 28-106.111, Florida Administrative Code).
6. The right to an administrative hearing and the relevant procedures to be followed are governed by Chapter 120, Florida Statutes, Chapter 28-106, Florida Administrative Code, and Rule 40C-1.1007, Florida Administrative Code. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means the District's final action may be different from the position taken by it in this notice. A person whose substantial interests are or may be affected by the District's final action has the right to become a party to the proceeding, in accordance with the requirements set forth above.
7. Pursuant to Section 120.68, Florida Statutes, a party to the proceeding before the District who is adversely affected by final District action may seek review of the action in the District Court of Appeal by filing a notice of appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, within 30 days of the rendering of the final District action.
8. A District action is considered rendered, as referred to in paragraph no. 7 above, after it is signed on behalf of the District and filed by the District Clerk.
9. Failure to observe the relevant timeframes for filing a petition for judicial review as described in paragraph no. 7 above will result in waiver of that right to review.

Notice of Rights

Certificate of Service

I HEREBY CERTIFY that a copy of the foregoing Notice of Rights has been sent to the permittee:

Dewaine Christmas
Sunshine Utilities of Central Florida Inc
10230 E Highway 25
Belleview, FL 34420-5531

This 1st day of February 2018.



Margaret Daniels, Office Director
Office of Business and Administrative Services
St. Johns River Water Management District
4049 Reid Street
Palatka, FL 32177-2529
(386) 329-4570

Permit Number: 2996-4

NOTICING INFORMATION

Dear Permittee:

Please be advised that the St. Johns River Water Management District will not publish a notice in the newspaper advising the public that it has issued a permit for this project.

Newspaper publication, using the District's notice form, notifies members of the public of their right to challenge the issuance of the permit. If proper notice is given by newspaper publication, then there is a 21-day time limit for someone to file a petition for an administrative hearing to challenge the issuance of the permit.

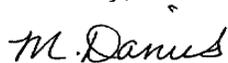
To close the point of entry for filing a petition, you may publish (at your own expense) a one-time notice of the District's decision in a newspaper of general circulation within the affected area as defined in Section 50.011 of the Florida Statutes. If you do not publish a newspaper notice to close the point of entry, the time to challenge the issuance of your permit will not expire and someone could file a petition even after your project is constructed.

A copy of the notice form and a partial list of newspapers of general circulation are attached for your convenience. However, you are not limited to those listed newspapers. If you choose to close the point of entry and the notice is published, the newspaper will return to you an affidavit of publication. In that event, it is important that you either submit a scanned copy of the affidavit by emailing it to compliancesupport@sjrwmd.com (preferred method) or send a copy of the original affidavit to:

Margaret Daniels, Office Director
Office of Business and Administrative Services
4049 Reid Street
Palatka, FL 32177

If you have any questions, please contact the Office of Business and Administrative Services at (386) 329-4570.

Sincerely,



Margaret Daniels, Office Director
Office of Business and Administrative Services

NOTICE OF AGENCY ACTION TAKEN BY THE
ST. JOHNS RIVER WATER MANAGEMENT DISTRICT

Notice is given that on _____ the District issued Permit No. _____ for a Consumptive Use Permit to serve (type of project) _____ activities. The total allocation authorized is _____ mgd of (groundwater/surface water). The project is located in _____ County, Section(s) _____, Township _____ South, Range _____ East. The permit applicant is _____.

If you wish to receive a copy of a Technical Staff Report (TSR) that provides the St. Johns River Water Management District (District) staffs' analysis on the above-listed compliance report(s) and associated permit(s), please submit your request to Office Director, Office of Business and Administrative Services, PO Box 1429, Palatka, FL 32178-1429. You may view the TSR by going to the Permitting section of the District's website at www.sjrwmd.com/permitting/index.html. To obtain information on how to find and view a TSR, visit https://permitting.sjrwmd.com/epermitting/html/EP_FAQs.html, and then follow the directions provided under "How to find a Technical Staff Report (TSR) or other application file documents."

A person whose substantial interests are or may be affected has the right to request an administrative hearing by filing a written petition with the District. Pursuant to Chapter 28-106 and Rule 40C-1.1007, Florida Administrative Code (F.A.C.), the petition must be filed (received) either by delivery at the office of the District Clerk at District Headquarters, P. O. Box 1429, Palatka Florida 32178-1429 (4049 Reid St., Palatka, FL 32177) or by e-mail with the District Clerk at Clerk@sjrwmd.com, within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail or email actual notice). A petition for an administrative hearing is deemed filed upon receipt of the complete petition by the District Clerk at the District Headquarters in Palatka, Florida during the District's regular business hours. The District's regular business hours are 8 a.m. – 5 p.m., excluding weekends and District holidays. Petitions received by the District Clerk after the District's regular business hours shall be deemed filed as of 8 a.m. on the next regular District business day. A petition must comply with Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes (F.S.), and Chapter 28-106, F.A.C. The District's acceptance of petitions filed by e-mail is subject to certain conditions set forth in the District's Statement of Agency Organization and Operation (issued pursuant to Rule 28-101.001, F.A.C.), which is available for viewing at www.sjrwmd.com. The District will not accept a petition sent by facsimile (fax). Mediation may be available if you meet the conditions stated in the full Notice of Rights (see last paragraph).

The right to an administrative hearing and the relevant procedures to be followed are governed by Chapter 120, F.S., Chapter 28-106, F.A.C., and Rule 40C-1.1007, F.A.C. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means the District's final action may be different from the position taken by it in this notice. **Failure to file a petition for an administrative hearing within the requisite time frame shall constitute a waiver of the right to an administrative hearing. (Rule 28-106.111, F.A.C.).**

If you wish to do so, please visit http://www.sjrwmd.com/nor_dec/ to read the complete Notice of Rights to determine any legal rights you may have concerning the District's decision(s) on the Consumptive Use Permit Application(s) described above. You can also request the Notice of Rights by contacting the Office Director, Office of Business and Administrative Services, P. O. Box 1429, Palatka, FL 32178, phone (386)329-4570.

NEWSPAPER ADVERTISING

ALACHUA

The Alachua County Record, Legal Advertising
P. O. Box 806
Gainesville, FL 32602
352-377-2444/ fax 352-338-1986

BRADFORD

Bradford County Telegraph, Legal Advertising
P. O. Drawer A
Starke, FL 32901
904-964-6305/ fax 904-964-8628

CLAY

Clay Today, Legal Advertising
1560 Kinsley Ave., Suite 1
Orange Park, FL 32073
904-264-3200/ fax 904-264-3285

FLAGLER

Flagler Tribune, c/o News Journal
P. O. Box 2831
Daytona Beach, FL 32120-2831
386-681-2322

LAKE

Daily Commercial, Legal Advertising
P. O. Drawer 490007
Leesburg, FL 34749
352-365-8235/fax 352-365-1951

NASSAU

News-Leader, Legal Advertising
P. O. Box 766
Fernandina Beach, FL 32035
904-261-3696/fax 904-261-3698

ORANGE

Sentinel Communications, Legal Advertising
633 N. Orange Avenue
Orlando, FL 32801
407-420-5160/ fax 407-420-5011

PUTNAM

Palatka Daily News, Legal Advertising
P. O. Box 777
Palatka, FL 32178
386-312-5200/ fax 386-312-5209

SEMINOLE

Seminole Herald, Legal Advertising
300 North French Avenue
Sanford, FL 32771
407-323-9408

BAKER

Baker County Press, Legal Advertising
P. O. Box 598
MacLenny, FL 32063
904-259-2400/ fax 904-259-6502

BREVARD

Florida Today, Legal Advertising
P. O. Box 419000
Melbourne, FL 32941-9000
321-242-3832/ fax 321-242-6618

DUVAL

Daily Record, Legal Advertising
P. O. Box 1769
Jacksonville, FL 32201
904-356-2466 / fax 904-353-2628

INDIAN RIVER

Vero Beach Press Journal, Legal Advertising
P. O. Box 1268
Vero Beach, FL 32961-1268
772-221-4282/ fax 772-978-2340

MARION

Ocala Star Banner, Legal Advertising
2121 SW 19th Avenue Road
Ocala, FL 34474
352-867-4010/fax 352-867-4126

OKEECHOBEE

Okeechobee News, Legal Advertising
P. O. Box 639
Okeechobee, FL 34973-0639
863-763-3134/fax 863-763-5901

OSCEOLA

Little Sentinel, Legal Advertising
633 N. Orange Avenue
Orlando, FL 32801
407-420-5160/ fax 407-420-5011

ST. JOHNS

St. Augustine Record, Legal Advertising
P. O. Box 1630
St. Augustine, FL 32085
904-819-3436

VOLUSIA

News Journal Corporation, Legal Advertising
P. O. Box 2831
Daytona Beach, FL 32120-2831
(386) 681-2322



St. Johns River Water Management District

Ann B. Shortelle, Ph.D., Executive Director

4049 Reid Street • P.O. Box 1429 • Palatka, FL 32178-1429 • (386) 329-4500
On the Internet at www.sjrwmd.com.

August 21, 2020

Dewaine Christmas
Sunshine Utilities of Central Florida, Inc
10230 E Highway 25
Bellevue, FL 34420-5531

SUBJECT: Sunray Estates, Consumptive Use Permit Number 3130-3
Marion County, Florida

Dear Sir/Madam:

Enclosed is the permit authorized by the District on August 21, 2020. The enclosed permit is a legal document and should be kept with other important records. Please read the permit and conditions carefully because the referenced conditions may require submittal of additional information. Where possible, please submit all information required to comply with permit conditions electronically at www.sjrwmd.com/permitting via the District's e-Permitting portal.

Please be advised that the District will not publish a notice in the newspaper advising the public that the permit has been issued. Enclosed is information on publishing notice of the permit. If a newspaper notice is not published to close the point of entry, the time to challenge the issuance of the permit will not expire. A potential petitioner has 26 days from the date on which the actual notice is deposited in the mail, or 21 days from publication of this notice when actual notice is not provided, within which to file a petition for an administrative hearing pursuant to Sections 120.569 and 120.57, *Florida Statutes*. Receipt of such a petition by the District may result in this permit becoming null and void. Also, enclosed is a copy of the Notice of Rights.

If you have any questions concerning the permit, please contact Emily Wakley in the Maitland Service Center at (407) 659-4827

Sincerely,

A handwritten signature in black ink that reads "Rich Burklew".

Richard Burklew, Bureau Chief
Water Use Regulation

GOVERNING BOARD

Douglas Burnett, CHAIRMAN
ST. AUGUSTINE

Ron Howse, TREASURER
COCOA

Douglas C. Bournique
VERO BEACH

Susan Dolan
SANFORD

ST. JOHNS RIVER WATER MANAGEMENT DISTRICT
Post Office Box 1429
Palatka, Florida 32178-1429

PERMIT NO: 3130-3

DATE ISSUED: August 21, 2020

PROJECT NAME: Sunray Estates

A PERMIT AUTHORIZING:

The District authorizes the use of 78.5 million gallons per year (mgy) (0.215 million gallons per day (mgd), annual average) of groundwater from the Upper Floridan aquifer for public supply type use through 2040.

LOCATION:

Site: Sunray Estates
Marion County

SECTION(S):	TOWNSHIP(S):	RANGE(S):
33	14S	22E
4	15S	22E

ISSUED TO:

Dewaine Christmas

Sunshine Utilities of Central Florida, Inc
10230 E Highway 25
Bellevue, FL 34420-5531

The permittee agrees to hold and save the St. Johns River Water Management District and its successors harmless from any and all damages, claims, or liabilities which may arise from permit issuance. Said application, including all plans and specifications attached thereto, is by reference made a part hereof.

This permit does not convey to the permittee any property rights nor any rights or privileges other than those specified herein, nor relieve the permittee from complying with any applicable local government, state, or federal, rule, or ordinance.

This permit may be revoked, modified or transferred at any time pursuant to the appropriate provisions of Chapter 373, Florida Statutes and 40C-1, Florida Administrative Code.

PERMIT IS CONDITIONED UPON:

See conditions on attached "Exhibit A", dated August 21, 2020

AUTHORIZED BY: St. Johns River Water Management District
Division of Regulatory Services

By: 

Richard Burklew
Bureau Chief

"EXHIBIT A"
CONDITIONS FOR ISSUANCE OF PERMIT NUMBER 3130-3
Sunray Estates
DATE ISSUED August 21, 2020

1. With advance notice to the permittee, District staff with proper identification shall have permission to enter, inspect, observe, collect samples, and take measurements of permitted facilities to determine compliance with the permit conditions and permitted plans and specifications. The permittee shall either accompany District staff onto the property or make provision for access onto the property.
2. Nothing in this permit should be construed to limit the authority of the St. Johns River Water Management District to declare a water shortage and issue orders pursuant to Chapter 373, F.S. In the event of a declared water shortage, the permittee must adhere to the water shortage restrictions, as specified by the District. The permittee is advised that during a water shortage, reports shall be submitted as required by District rule or order.
3. Prior to the construction, modification or abandonment of a well, the permittee must obtain a water well permit from the St. Johns River Water Management District or the appropriate local government pursuant to Chapter 40C-3, F.A.C. Construction, modification, or abandonment of a well will require modification of the consumptive use permit when such construction, modification, or abandonment is other than that specified and described on the consumptive use permit application form.
4. Leaking or inoperative well casings, valves, or controls must be repaired or replaced as required to eliminate the leak or make the system fully operational.
5. The permittee's consumptive use of water as authorized by this permit shall not interfere with legal uses of water existing at the time of permit application. If interference occurs, the District shall revoke the permit, in whole or in part, to curtail or abate the interference, unless the interference associated with the permittee's consumptive use of water is mitigated by the permittee pursuant to a District-approved plan.
6. The permittee's consumptive use of water as authorized by this permit shall not have significant adverse hydrologic impacts to off-site land uses existing at the time of permit application. If significant adverse hydrologic impacts occur, the District shall revoke the permit, in whole or in part, to curtail or abate the adverse impacts, unless the impacts associated with the permittee's consumptive use of water are mitigated by the permittee pursuant to a District-approved plan.
7. The permittee shall notify the District in writing within 30 days of any sale, transfer, or conveyance of ownership or any other loss of permitted legal control of the Project and/or related facilities from which the permitted consumptive use is made. Where permittee's control of the land subject to the permit was demonstrated through a lease, the permittee must either submit documentation showing that it continues to have legal control or transfer control of the permitted system/project to the new landowner or new lessee. All transfers of ownership are subject to the requirements of Rule 40C-1.612, F.A.C. Alternatively, the permittee may surrender the consumptive use permit to the District, thereby relinquishing the right to conduct any activities under the permit.
8. A District-issued identification tag shall be prominently displayed at each withdrawal site by permanently affixing such tag to the pump, headgate, valve, or other withdrawal facility as provided by Rule 40C-2.401, F.A.C. The permittee shall notify the District in the event that a replacement tag is needed.

9. The permittee's consumptive use of water as authorized by this permit shall not adversely impact wetlands, lakes, rivers, or springs. If adverse impacts occur, the District shall revoke the permit, in whole or in part, to curtail or abate the adverse impacts, unless the impacts associated with the permittee's consumptive use of water are mitigated by the permittee pursuant to a District-approved plan.
10. The permittee's consumptive use of water as authorized by this permit shall not reduce a flow or level below any minimum flow or level established by the District or the Department of Environmental Protection pursuant to Section 373.042 and 373.0421, F.S. If the permittee's use of water causes or contributes to such a reduction, then the District shall revoke the permit, in whole or in part, unless the permittee implements all provisions applicable to the permittee's use in a District-approved recovery or prevention strategy.
11. The permittee's consumptive use of water as authorized by the permit shall not cause or contribute to significant saline water intrusion. If significant saline water intrusion occurs, the District shall revoke the permit, in whole or in part, to curtail or abate the saline water intrusion, unless the saline water intrusion associated with the permittee's consumptive use of water is mitigated by the permittee pursuant to a District-approved plan.
12. The permittee's consumptive use of water as authorized by the permit shall not cause or contribute to flood damage. If the permittee's consumptive use causes or contributes to flood damage, the District shall revoke the permit, in whole or in part, to curtail or abate the flood damage, unless the flood damage associated with the permittee's consumptive use of water is mitigated by the permittee pursuant to a District-approved plan.
13. All consumptive uses authorized by this permit shall be implemented as conditioned by this permit, including any documents incorporated by reference in a permit condition. The District may revoke this permit, in whole or in part, or take enforcement action, pursuant to Section 373.136 or 373.243, F.S., unless a permit modification has been obtained to address the noncompliance. The permittee shall immediately notify the District in writing of any previously submitted information that is later discovered to be inaccurate.
14. This permit does not convey to the permittee any property rights or privileges other than those specified herein, nor relieve the permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.
15. A permittee may seek modification of any term of an unexpired permit. The permittee is advised that Section 373.239, F.S., and Rule 40C-2.331, F.A.C., are applicable to permit modifications.
16. This permit is subject to modification during the term of the permit, upon reasonable notice by the District to the permittee, to achieve compliance with any approved MFL recovery or prevention strategy for the Silver River or Silver Springs. Furthermore if determined necessary by the District, the permittee will mitigate for their contribution to declining spring flows at Silver Springs. Nothing herein shall be construed to alter the District's authority to modify a permit under circumstances not addressed in this condition.
17. All irrigation shall be in conformity with the requirements set forth in subsection 40C-2.042(2), F.A.C.
18. All submittals made to demonstrate compliance with this permit must include CUP number 3130 labeled on the submittal. Submittals should be made on-line at www.sjrwmd.com/permitting whenever possible.
19. The permittee shall meter all service connections.

20. This permit will expire on August 17, 2040.
21. Maximum annual groundwater withdrawals from the Upper Floridan aquifer for public supply type uses must not exceed 78.5 million gallons (0.215 mgd, annual average).
22. All wells must continue to be equipped with totalizing flow meters. All flow meters must measure within +/- 5% of actual flow, be verifiable and be installed according to the manufacturer's specifications.
23. Total withdrawal from wells A (Station ID 11322), B (Station ID 11324), and C Emil Marr (Station ID 11323) must be recorded continuously, totaled monthly, and reported to the District at least every six months for the duration of this permit using Water Use Pumpage Report Form (EN-50). The meter reading or quantity withdrawn must be reported in gallons. Reporting is required, even if there is no use. The reporting dates each year will be as follows:

Reporting Period	Report Due Date
January - June	July 31
July - December	January 31

24. The permittee must have all flow meters checked for accuracy at least once every 10 years, specifically before December 1, 2029, and recalibrated if the difference between the actual flow and the meter reading is greater than 5%. Flow Meter Accuracy Report Form (EN-51) must be submitted to the District within 30 days of the inspection/calibration.
25. The permittee must maintain all flowmeters and alternative methods for measuring flow. In case of failure or breakdown of any meter, the District must be notified in writing within 5 days of its discovery. A defective meter must be repaired or replaced within 30 days of its discovery.
26. The permittee must conduct a detailed water audit by every five years (2025, 2030, 2035, and 2040) and submit it to the District by March 31st of the following year. All water uses given in the audit must be for the previous calendar year and documentation provided on how the amounts were metered or determined.
27. The permittee must implement the Water Conservation Plan submitted to the District on August 17, 2020, in accordance with the schedule contained therein.
28. The permittee shall use the lowest quality water source, such as reclaimed water, surface/storm water, or alternative water supply, to supply the needs of the project when deemed feasible pursuant to District rules and applicable state law.

Notice Of Rights

1. A person whose substantial interests are or may be affected has the right to request an administrative hearing by filing a written petition with the St. Johns River Water Management District (District). Pursuant to Chapter 28-106 and Rule 40C-1.1007, Florida Administrative Code, the petition must be filed (received) either by delivery at the office of the District Clerk at District Headquarters, P. O. Box 1429, Palatka Florida 32178-1429 (4049 Reid St., Palatka, FL 32177) or by e-mail with the District Clerk at Clerk@sjrwmd.com, within twenty-six (26) days of the District depositing the notice of District decision in the mail (for those persons to whom the District mails actual notice), within twenty-one (21) days of the District emailing the notice of District decision (for those persons to whom the District emails actual notice), or within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail or email actual notice). A petition must comply with Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes, and Chapter 28-106, Florida Administrative Code. The District will not accept a petition sent by facsimile (fax), as explained in paragraph no. 4 below.
2. Please be advised that if you wish to dispute this District decision, mediation may be available and that choosing mediation does not affect your right to an administrative hearing. If you wish to request mediation, you must do so in a timely-filed petition. If all parties, including the District, agree to the details of the mediation procedure, in writing, within 10 days after the time period stated in the announcement for election of an administrative remedy under Sections 120.569 and 120.57, Florida Statutes, the time limitations imposed by Sections 120.569 and 120.57, Florida Statutes, shall be tolled to allow mediation of the disputed District decision. The mediation must be concluded within 60 days of the date of the parties' written agreement, or such other timeframe agreed to by the parties in writing. Any mediation agreement must include provisions for selecting a mediator, a statement that each party shall be responsible for paying its pro-rata share of the costs and fees associated with mediation, and the mediating parties' understanding regarding the confidentiality of discussions and documents introduced during mediation. If mediation results in settlement of the administrative dispute, the District will enter a final order consistent with the settlement agreement. If mediation terminates without settlement of the dispute, the District will notify all the parties in writing that the administrative hearing process under Sections 120.569 and 120.57, Florida Statutes, is resumed. Even if a party chooses not to engage in formal mediation, or if formal mediation does not result in a settlement agreement, the District will remain willing to engage in informal settlement discussions.
3. A person whose substantial interests are or may be affected has the right to an informal administrative hearing pursuant to Sections 120.569 and 120.57(2), Florida Statutes, where no material facts are in dispute. A petition for an informal hearing must also comply with the requirements set forth in Rule 28-106.301, Florida Administrative Code.

Notice Of Rights

4. A petition for an administrative hearing is deemed filed upon receipt of the complete petition by the District Clerk at the District Headquarters in Palatka, Florida during the District's regular business hours. The District's regular business hours are 8:00 a.m. – 5:00 p.m., excluding weekends and District holidays. Petitions received by the District Clerk after the District's regular business hours shall be deemed filed as of 8:00 a.m. on the District's next regular business day. The District's acceptance of petitions filed by e-mail is subject to certain conditions set forth in the District's Statement of Agency Organization and Operation (issued pursuant to Rule 28-101.001, Florida Administrative Code), which is available for viewing at www.sjrwmd.com. These conditions include, but are not limited to, the petition being in the form of a PDF or TIFF file and being capable of being stored and printed by the District. Further, pursuant to the District's Statement of Agency Organization and Operation, attempting to file a petition by facsimile is prohibited and shall not constitute filing.
5. Failure to file a petition for an administrative hearing within the requisite timeframe shall constitute a waiver of the right to an administrative hearing. (Rule 28-106.111, Florida Administrative Code).
6. The right to an administrative hearing and the relevant procedures to be followed are governed by Chapter 120, Florida Statutes, Chapter 28-106, Florida Administrative Code, and Rule 40C-1.1007, Florida Administrative Code. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means the District's final action may be different from the position taken by it in this notice. A person whose substantial interests are or may be affected by the District's final action has the right to become a party to the proceeding, in accordance with the requirements set forth above.
7. Pursuant to Section 120.68, Florida Statutes, a party to the proceeding before the District who is adversely affected by final District action may seek review of the action in the District Court of Appeal by filing a notice of appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, within 30 days of the rendering of the final District action.
8. A District action is considered rendered, as referred to in paragraph no. 7 above, after it is signed on behalf of the District and filed by the District Clerk.
9. Failure to observe the relevant timeframes for filing a petition for judicial review as described in paragraph no. 7 above will result in waiver of that right to review.

Notice Of Rights

Certificate of Service

I HEREBY CERTIFY that a copy of the foregoing Notice of Rights has been sent to the permittee:

Dewaine Christmas
Sunshine Utilities of Central Florida, Inc
10230 E Highway 25
Bellevue, FL 34420-5531

This 21st day of August, 2020.

A handwritten signature in black ink that reads "Rich Burklew". The signature is written in a cursive, flowing style.

Richard Burklew, Bureau Chief

Permit Number: 3130-3

NOTICING INFORMATION

Please be advised that the St. Johns River Water Management District will not publish a notice in the newspaper advising the public that it has issued a permit for this project.

Newspaper publication, using the District's notice form, notifies members of the public of their right to challenge the issuance of the permit. If proper notice is given by newspaper publication, then there is a 21-day time limit for someone to file a petition for an administrative hearing to challenge the issuance of the permit.

To close the point of entry for filing a petition, you may publish (at your own expense) a one-time notice of the District's decision in a newspaper of general circulation within the affected area as defined in Section 50.011 of the Florida Statutes. If you do not publish a newspaper notice to close the point of entry, the time to challenge the issuance of your permit will not expire and someone could file a petition even after your project is constructed.

A copy of the notice form and a partial list of newspapers of general circulation are attached for your convenience. However, you are not limited to those listed newspapers. If you choose to close the point of entry and the notice is published, the newspaper will return to you an affidavit of publication. In that event, it is important that you either submit a scanned copy of the affidavit by emailing it to compliancesupport@sjrwmd.com (preferred method) or send a copy of the original affidavit to:

Office of Business and Administrative Services
4049 Reid Street
Palatka, FL 32177

If you have any questions, please contact the Office of Business and Administrative Services at (386) 329-4570.

NOTICE OF AGENCY ACTION TAKEN BY THE
ST. JOHNS RIVER WATER MANAGEMENT DISTRICT

Notice is given that on _____ the District issued Permit No. _____ for a Consumptive Use Permit to serve (type of project) _____ activities. The total allocation authorized is _____ mgd of (groundwater/surface water). The project is located in _____ County, Section(s) _____, Township _____ South, Range _____ East. The permit applicant is _____.

If you wish to receive a copy of a Technical Staff Report (TSR) that provides the St. Johns River Water Management District (District) staffs' analysis on the above-listed compliance report(s) and associated permit(s), please submit your request to Office Director, Office of Business and Administrative Services, PO Box 1429, Palatka, FL 32178-1429. You may view the TSR by going to the Permitting section of the District's website at www.sjrwmd.com/permitting/index.html. To obtain information on how to find and view a TSR, visit https://permitting.sjrwmd.com/epermitting/html/EP_FAQs.html, and then follow the directions provided under "How to find a Technical Staff Report (TSR) or other application file documents."

A person whose substantial interests are or may be affected has the right to request an administrative hearing by filing a written petition with the District. Pursuant to Chapter 28-106 and Rule 40C-1.1007, Florida Administrative Code (F.A.C.), the petition must be filed (received) either by delivery at the office of the District Clerk at District Headquarters, P. O. Box 1429, Palatka Florida 32178-1429 (4049 Reid St., Palatka, FL 32177) or by e-mail with the District Clerk at Clerk@sjrwmd.com, within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail or email actual notice). A petition for an administrative hearing is deemed filed upon receipt of the complete petition by the District Clerk at the District Headquarters in Palatka, Florida during the District's regular business hours. The District's regular business hours are 8 a.m. – 5 p.m., excluding weekends and District holidays. Petitions received by the District Clerk after the District's regular business hours shall be deemed filed as of 8 a.m. on the next regular District business day. A petition must comply with Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes (F.S.), and Chapter 28-106, F.A.C. The District's acceptance of petitions filed by e-mail is subject to certain conditions set forth in the District's Statement of Agency Organization and Operation (issued pursuant to Rule 28-101.001, F.A.C.), which is available for viewing at www.sjrwmd.com. The District will not accept a petition sent by facsimile (fax). Mediation may be available if you meet the conditions stated in the full Notice of Rights (see last paragraph).

The right to an administrative hearing and the relevant procedures to be followed are governed by Chapter 120, F.S., Chapter 28-106, F.A.C., and Rule 40C-1.1007, F.A.C. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means the District's final action may be different from the position taken by it in this notice. **Failure to file a petition for an administrative hearing within the requisite time frame shall constitute a waiver of the right to an administrative hearing. (Rule 28-106.111, F.A.C.).**

If you wish to do so, please visit http://www.sjrwmd.com/nor_dec/ to read the complete Notice of Rights to determine any legal rights you may have concerning the District's decision(s) on the Consumptive Use Permit Application(s) described above. You can also request the Notice of Rights by contacting the Office Director, Office of Business and Administrative Services, P. O. Box 1429, Palatka, FL 32178, phone (386)329-4570.

NEWSPAPER ADVERTISING

ALACHUA

The Alachua County Record, Legal Advertising
P. O. Box 806
Gainesville, FL 32602
352-377-2444/ fax 352-338-1986

BRADFORD

Bradford County Telegraph, Legal Advertising
P. O. Drawer A
Starke, FL 32901
904-964-6305/ fax 904-964-8628

CLAY

Clay Today, Legal Advertising
1560 Kinsley Ave., Suite 1
Orange Park, FL 32073
904-264-3200/ fax 904-264-3285

FLAGLER

Flagler Tribune, c/o News Journal
P. O. Box 2831
Daytona Beach, FL 32120-2831
386-681-2322

LAKE

Daily Commercial, Legal Advertising
P. O. Drawer 490007
Leesburg, FL 34749
352-365-8235/fax 352-365-1951

NASSAU

News-Leader, Legal Advertising
P. O. Box 766
Fernandina Beach, FL 32035
904-261-3696/fax 904-261-3698

ORANGE

Sentinel Communications, Legal Advertising
633 N. Orange Avenue
Orlando, FL 32801
407-420-5160/ fax 407-420-5011

PUTNAM

Palatka Daily News, Legal Advertising
P. O. Box 777
Palatka, FL 32178
386-312-5200/ fax 386-312-5209

SEMINOLE

Seminole Herald, Legal Advertising
300 North French Avenue
Sanford, FL 32771
407-323-9408

BAKER

Baker County Press, Legal Advertising
P. O. Box 598
MacLenny, FL 32063
904-259-2400/ fax 904-259-6502

BREVARD

Florida Today, Legal Advertising
P. O. Box 419000
Melbourne, FL 32941-9000
321-242-3832/ fax 321-242-6618

DUVAL

Daily Record, Legal Advertising
P. O. Box 1769
Jacksonville, FL 32201
904-356-2466 / fax 904-353-2628

INDIAN RIVER

Vero Beach Press Journal, Legal Advertising
P. O. Box 1268
Vero Beach, FL 32961-1268
772-221-4282/ fax 772-978-2340

MARION

Ocala Star Banner, Legal Advertising
2121 SW 19th Avenue Road
Ocala, FL 34474
352-867-4010/fax 352-867-4126

OKEECHOBEE

Okeechobee News, Legal Advertising
P. O. Box 639
Okeechobee, FL 34973-0639
863-763-3134/fax 863-763-5901

OSCEOLA

Little Sentinel, Legal Advertising
633 N. Orange Avenue
Orlando, FL 32801
407-420-5160/ fax 407-420-5011

ST. JOHNS

St. Augustine Record, Legal Advertising
P. O. Box 1630
St. Augustine, FL 32085
904-819-3439

VOLUSIA

News Journal Corporation, Legal Advertising
P. O. Box 2831
Daytona Beach, FL 32120-2831
(386) 681-2322



St. Johns River Water Management District

Kirby B. Green III, Executive Director • David W. Fisk, Assistant Executive Director

4049 Reid Street • P.O. Box 1429 • Palatka, FL 32178-1429 • (386) 329-4500

On the Internet at www.sjrwmd.com.

August 9, 2006

Sunshine Utilities
10230 E Hwy 25
Bellevue, FL 34420

SUBJECT: Consumptive Use Permit Number 6850
Whispering Sands

Dear Sir/Madam:

Enclosed is your permit as authorized by the St. Johns River Water Management District on August 09, 2006.

Please be advised that the period of time within which a third party may request an administrative hearing on this permit may not have expired by the date of issuance. A potential petitioner has twenty-six (26) days from the date on which the actual notice is deposited in the mail, or twenty-one (21) days from publication of this notice when actual notice is not provided, within which to file a petition for an administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes. Receipt of such a petition by the District may result in this permit becoming null and void.

Permit issuance does not relieve you from the responsibility of obtaining permits from any federal, state and/or local agencies asserting concurrent jurisdiction over this work.

The enclosed permit is a legal document and should be kept with your other important records. Please read the permit and conditions carefully since the referenced conditions may require submittal of additional information. All information submitted as compliance with permit conditions must be submitted to the nearest District Service Center and should include the above referenced permit number.

Sincerely,

Gloria Lewis, Director
Permit Data Services Division

Enclosures: Permit, Conditions for Issuance, Compliance Forms, Map, Well Tags.

cc: District Permit File

GOVERNING BOARD

Ometrias D. Long, CHAIRMAN
APOPKA

David G. Graham, VICE CHAIRMAN
JACKSONVILLE

R. Clay Albright, SECRETARY
OCALA

Duane Ottenstroer, TREASURER
JACKSONVILLE

W. Leonard Wood
FERNANDINA BEACH

John G. Sowinski
ORLANDO

William Kerr
MELBOURNE BEACH

Ann T. Moore
BUNNELL

Susan N. Hughes
PONTE VEDRA

PERMIT NO. 6850

DATE ISSUED: August 9, 2006

PROJECT NAME: Whispering Sands

A PERMIT AUTHORIZING:

The District authorizes, as limited by the attached permit conditions, the use of 26.3 million gallons per year of ground water from the Floridan aquifer to provide for an estimated population of 720 people.

LOCATION:

Site: Whispering Sands
Marion County

Section(s): 25 Township(s): 15S Range(s): 22E

ISSUED TO:

Sunshine Utilities
10230 E Hwy 25
Bellevue, FL 34420

Permittee agrees to hold and save the St. Johns River Water Management District and its successors harmless from any and all damages, claims, or liabilities which may arise from permit issuance. Said application, including all maps and specifications attached thereto, is by reference made a part hereof.

This permit does not convey to permittee any property rights nor any rights of privileges other than those specified herein, nor relieve the permittee from complying with any law, regulation or requirement affecting the rights of other bodies or agencies. All structures and works installed by permittee hereunder shall remain the property of the permittee.

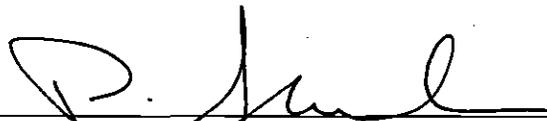
This permit may be revoked, modified or transferred at any time pursuant to the appropriate provisions of Chapter 373, Florida Statutes and 40C-1, Florida Administrative Code.

PERMIT IS CONDITIONED UPON:

See conditions on attached "Exhibit A", dated August 9, 2006

AUTHORIZED BY: St. Johns River Water Management District
Department of Resource Management

By: _____



Dwight Jenkins
Division Director

"EXHIBIT A"
CONDITIONS FOR ISSUANCE OF PERMIT NUMBER 6850
SUNSHINE UTILITIES
DATED AUGUST 9, 2006

1. District Authorized staff, upon proper identification, will have permission to enter, inspect and observe permitted and related facilities in order to determine compliance with the approved plans, specifications and conditions of this permit.
2. Nothing in this permit should be construed to limit the authority of the St. Johns River Water Management District to declare a water shortage and issue orders pursuant to Section 373.175, Florida Statutes, or to formulate a plan for implementation during periods of water shortage, pursuant to Section 373.246, Florida Statutes. In the event a water shortage, is declared by the District Governing Board, the permittee must adhere to the water shortage restriction as specified by the District, even though the specified water shortage restrictions may be inconsistent with the terms and conditions of this permit.
3. Prior to the construction, modification, or abandonment of a well, the permittee must obtain a Water Well Construction Permit from the St. Johns River Water Management District, or the appropriate local government pursuant to Chapter 40C-3, Florida Administrative Code. Construction, modification, or abandonment of a well will require modification of the consumptive use permit when such construction, modification or abandonment is other than that specified and described on the consumptive use permit application form.
4. Leaking or inoperative well casings, valves, or controls must be repaired or replaced as required to eliminate the leak or make the system fully operational.
5. Legal uses of water existing at the time of the permit application may not be interfered with by the consumptive use. If unanticipated interference occurs, the District may revoke the permit in whole or in part to curtail or abate the interference unless the permittee mitigates for the interference. In those cases where other permit holders are identified by the District as also contributing to the interference, the permittee may choose to mitigate in a cooperative effort with these other permittees. The permittee must submit a mitigation plan to the District for approval prior to implementing such mitigation.
6. Off-site land uses existing at the time of permit application may not be significantly adversely impacted as a result of the consumptive use. If unanticipated significant adverse impacts occur, the District shall revoke the permit in whole or in part to curtail or abate the adverse impacts, unless the impacts can be mitigated by the permittee.
7. The District must be notified, in writing, within 30 days of any sale, conveyance, or other transfer of a well or facility from which the permitted consumptive use is made or within 30 days of any transfer of ownership or control of the real property at which the permitted consumptive use is located. All transfers of ownership or transfers of permits are subject to the provisions of section 40C-1.612, Florida Administrative Code.
8. A District-issued identification tag shall be prominently displayed at each withdrawal site by permanently affixing such tag to the pump, headgate, valve or other withdrawal facility as provided by Section 40C-2.401, Florida Administrative Code. Permittee shall notify the District in the event that a replacement tag is needed.
9. All submittals made to demonstrate compliance with this permit must include the CUP number 6850 plainly labeled.
10. This permit will expire July 17, 2026.

11. Maximum annual ground water withdrawals from the Floridan aquifer for household type use must not exceed 26.3 million gallons.
12. Wells number 1 (GRS ID 19806), and 2 (GRS ID 19807) as listed on the application are equipped with totalizing flow meters. These meters must maintain 95% accuracy, be verifiable and be installed according to the manufacturer's specifications.
13. Withdrawals from wells number 1 (GRS ID 19806) and 2 (GRS ID 19807) must be recorded continuously, totaled monthly, and reported to the District at least every six months from the initiation of the monitoring using Form No. EN-50. The reporting dates each year will be as follows for the duration of the permit:

Reporting Period	Report Due Date
January - June	July 31
July - December	January 31

14. The permittee must have all flow meters checked for accuracy every 3 years within 30 days of the anniversary date of permit issuance, and recalibrated if the difference between the actual flow and the meter reading is greater than 5%. District Form No. EN-51 must be submitted to the District within 10 days of the inspection/calibration.
15. The permittee must maintain all flow meters. In case of failure or breakdown of any meter, the District must be notified in writing within 5 days of its discovery. A defective meter must be repaired or replaced within 30 days of its discovery.
16. The permittee must continue to implement the Water Conservation Plan submitted to the District on April 17, 2006 in accordance with the schedules contained therein.
17. The lowest quality water source must be used when deemed feasible pursuant to District rules and applicable state law.

Notice Of Rights

1. A person whose substantial interests are or may be affected has the right to request an administrative hearing by filing a written petition with the St. Johns River Water Management District (District). Pursuant to Chapter 28-106 and Rule 40C-1.1007, Florida Administrative Code, the petition must be filed (received) either by delivery at the office of the District Clerk at District Headquarters, P. O. Box 1429, Palatka Florida 32178-1429 (4049 Reid St., Palatka, FL 32177) or by e-mail with the District Clerk at Clerk@sjrwmd.com, within twenty-six (26) days of the District depositing notice of District decision in the mail (for those persons to whom the District mails actual notice), within twenty-one (21) days of the District emailing notice of District decision (for those persons to whom the District emails actual notice), or within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail or email actual notice). A petition must comply with Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes, and Chapter 28-106, Florida Administrative Code. The District will not accept a petition sent by facsimile (fax), as explained in paragraph no. 5 below. Mediation pursuant to Section 120.573, Florida Statutes, is not available.
2. If the Governing Board takes action that substantially differs from the notice of District decision, a person whose substantial interests are or may be affected has the right to request an administrative hearing by filing a written petition with the District, but this request for administrative hearing shall only address the substantial deviation. Pursuant to Chapter 28-106 and Rule 40C-1.1007, Florida Administrative Code, the petition must be filed (received) at the office of the District Clerk at the mail/street address or email address described in paragraph no. 1 above, within twenty-six (26) days of the District depositing notice of final District decision in the mail (for those persons to whom the District mails actual notice), within twenty-one (21) days of the District emailing the notice of final District decision (for those persons to whom the District emails actual notice), or within twenty-one (21) days of newspaper publication of the notice of final District decision (for those persons to whom the District does not mail or email actual notice). A petition must comply with Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes, and Chapter 28-106, Florida Administrative Code. Mediation pursuant to Section 120.573, Florida Statutes, is not available.
3. A person whose substantial interests are or may be affected has the right to a formal administrative hearing pursuant to Sections 120.569 and 120.57(1), Florida Statutes, where there is a dispute between the District and the party regarding an issue of material fact. A petition for formal hearing must also comply with the requirements set forth in Rule 28-106.201, Florida Administrative Code.
4. A person whose substantial interests are or may be affected has the right to an informal administrative hearing pursuant to Sections 120.569 and 120.57(2), Florida Statutes, where no material facts are in dispute. A petition for an informal hearing must also comply with the requirements set forth in Rule 28-106.301, Florida Administrative Code.

Notice Of Rights

5. A petition for an administrative hearing is deemed filed upon receipt of the complete petition by the District Clerk at the District Headquarters in Palatka, Florida. Petitions received by the District Clerk after 5:00 p.m., or on a Saturday, Sunday, or legal holiday, shall be deemed filed as of 8:00 a.m. on the next regular District business day. The District's acceptance of petitions filed by e-mail is subject to certain conditions set forth in the District's Statement of Agency Organization and Operation (issued pursuant to Rule 28-101.001, Florida Administrative Code), which is available for viewing at www.sjrwmd.com. These conditions include, but are not limited to, the petition being in the form of a PDF file and being capable of being stored and printed by the District. Further, pursuant to the District's Statement of Agency Organization and Operation, attempting to file a petition by facsimile is prohibited and shall not constitute filing.
6. Failure to file a petition for an administrative hearing within the requisite time frame shall constitute a waiver of the right to an administrative hearing. (Rule 28-106.111, Florida Administrative Code).
7. The right to an administrative hearing and the relevant procedures to be followed are governed by Chapter 120, Florida Statutes, Chapter 28-106, Florida Administrative Code, and Rule 40C-1.1007, Florida Administrative Code. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means the District's final action may be different from the position taken by it in this notice. A person whose substantial interests are or may be affected by the District's final action has the right to become a party to the proceeding, in accordance with the requirements set forth above.
8. A person with a legal or equitable interest in real property who believes that a District permitting action is unreasonable or will unfairly burden the use of their property, has the right to, within 30 days of receipt of the notice of District decision regarding a permit application, apply for a special magistrate proceeding under Section 70.51, Florida Statutes, by filing a written request for relief at the Office of the District Clerk located at District Headquarters, P. O. Box 1429, Palatka, FL 32178-1429 (4049 Reid St., Palatka, FL 32177). A request for relief must contain the information listed in Subsection 70.51(6), Florida Statutes. Requests for relief received by the District Clerk after 5:00 p.m., or on a Saturday, Sunday, or legal holiday, shall be deemed filed as of 8:00 a.m. on the next regular District business day.
9. A timely filed request for relief under Section 70.51, Florida Statutes, tolls the time to request an administrative hearing under paragraph nos. 1 or 2 above. (Paragraph 70.51(10)(b), Florida Statutes). However, the filing of a request for an administrative hearing under paragraph nos. 1 or 2 above waives the right to a special magistrate proceeding. (Subsection 70.51(10)(b), Florida Statutes).
10. Failure to file a request for relief within the requisite time frame shall constitute a waiver of the right to a special magistrate proceeding. (Subsection 70.51(3), Florida Statutes).

Notice Of Rights

11. Any person whose substantial interests are or may be affected who claims that final action of the District constitutes an unconstitutional taking of property without just compensation may seek review of the action in circuit court pursuant to Section 373.617, Florida Statutes, and the Florida Rules of Civil Procedures, by filing an action in circuit court within 90 days of rendering of the final District action, (Section 373.617, Florida Statutes).
12. Pursuant to Section 120.68, Florida Statutes, a party to the proceeding before the District who is adversely affected by final District action may seek review of the action in the District Court of Appeal by filing a notice of appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, within 30 days of the rendering of the final District action.
13. A party to the proceeding before the District who claims that a District order is inconsistent with the provisions and purposes of Chapter 373, Florida Statutes, may seek review of the order pursuant to Section 373.114, Florida Statutes, by the Florida Land and Water Adjudicatory Commission, by filing a request for review with the Commission and serving a copy on the Florida Department of Environmental Protection and any person named in the order within 20 days of the rendering of the District order.
14. A District action is considered rendered, as referred to in paragraph nos. 11, 12, and 13 above, after it is signed on behalf of the District, and is filed by the District Clerk.
15. Failure to observe the relevant time frames for filing a petition for judicial review as described in paragraph nos. 11 and 12 above, or for Commission review as described in paragraph no. 13 above, will result in waiver of that right to review.

Notice Of Rights

Certificate of Service

I HEREBY CERTIFY that a copy of the foregoing Notice of Rights has been sent by U.S. Mail to:

Sunshine Utilities
10230 E Hwy 25
Belleview, FL 34420

At 4:00 p.m. this ^{16th} 9th day of August, 2006.

Gloria Lewis

Division of Permit Data Services
Gloria Lewis, Director

St. Johns River Water Management District
Post Office Box 1429
Palatka, FL 32178-1429
(386) 329-4152
Permit Number: 6850

CONSUMPTIVE USE TECHNICAL STAFF REPORT

September 14, 2001

3093

(formerly 2-083-0256)

OWNER: Mr James Hodges
10230 E Hwy 25
Bellevue, FL
34420
(352) 347-8228

APPLICANT: Sunshine Utilities
10230 E Hwy 25
Bellevue, FL
34420
(352) 347-8228

PROJECT NAME: Winding Waters
ACRES CONTROLLED: 4.000
PROJECT ACREAGE: 200.000

LOCATION: Marion County
Section(s): 6 **Township(s):** 16S **Range(s):** 25E

AUTHORIZED USE:

This permit authorizes, as limited by the attached permit conditions, the use of 43.813 million gallons per year of ground water from the Floridan aquifer for public supply use to serve an estimated population of 1528 people in 20 years.

PROJECT DESCRIPTION:

Timeframes	Date
Application Received:	07/17/2001 Date Application
Deemed Complete:	07/17/2001 90 th Date:
	10/15/2001

Background

Sunshine Utilities of Central Florida, Inc. (SUCF) has submitted an application to renew a Consumptive Use Permit (CUP) for an existing public water supply system that serves six developments. The developments served by SUCF and covered under this CUP application consist of Winding Waters with 159 units, Lake Bryant Fish Camp with 120 units, the EZ Living Mobile Home Park (MHP) with 34 units, the Urban MHP with 26 units, Lake Bryant Ridge with 19 units, and Lake Bryant Estates with 5 units. Two Floridan aquifer wells are utilized to supply water for household and water utility purposes. Wastewater is disposed of utilizing privately owned septic tanks.

Water Supply System

Sunshine Utilities of Central Florida (SUCF) operates two 8-inch diameter, Floridan aquifer wells for the public water supply system. The wells are designated as Well #1 (GRS Station

No. 11180) and Well #2 (GRS Station No. 19899). The wells are approximately 100 feet apart and each well is equipped with an in-line totalizing flow meter to monitor water use. All residential units connected to the central water supply are submetered. The communities served are located within a relatively small geographic area of approximately 1.3 square miles. Based on the information submitted, the unaccounted for water use has been determined to be approximately 3.0%. Several units within the service area use private wells constructed to depths of between 100 feet to 150 feet for household use. New residents of Winding Waters, Lake Bryant Estates, and Lake Bryant Ridge are not required to connect to the central water supply system. The Utility has implemented a rate structure whereby there is a monthly base fee of \$7.90 and a \$1.90 charge is added for each 1000 gallons per month of water used.

Water Use Trends

Based on population growth rate surveys conducted over the past three years by SUCF, the Utility anticipates that the population in the service area will grow at an annual rate of approximately 3.0%. A maximum population of 1528 people is anticipated to need service by the year 2021. The service areas that are anticipated to have increases in the number of unit service connections are Winding Waters where the number of units connected is projected to increase from the existing 159 units to 427 units, Lake Bryant Ridge where the increase is projected to be from 19 units to 33 units and Lake Bryant Estates where the increase is projected to be from 5 units to 10 units. The allocation presently being recommended is based on the project's EN-50 water use records and the SUCF population surveys. The presently recommended water use of 76.2 gallons per capita per day is a decrease from the previous permit that allowed 139 gallons per capita per day. The applicant stated that the surveys they conducted indicated that many of the homes are occupied by single or retired individuals and some of the units are only occupied during the owners vacations and/or on weekends. Staff is recommending annual increases in the ground water allocation for household and water utility uses for the duration of this permit.

PREVIOUSLY PERMITTED USE:

Allocation: 56.2 MGY for public
1100
08/13/2001

Population:
Expiration Date:

Permit Application Review

Section 373.223, Florida Statutes, and section 40C-2.301, Florida Administrative Code (F.A.C.), require an applicant to establish that the proposed use of water:

- (a) is a reasonable and beneficial use;
- (b) will not interfere with any presently existing legal use of water; and,
- (c) is consistent with the public interest.

In addition, the above requirements are further interpreted in chapter 40C-2, F.A.C., and in the District's Applicant's Handbook: Consumptive Uses of Water, February 8, 1999. District staff have reviewed the consumptive use permit application pursuant to the above

described requirements and have determined that the application meets the conditions for issuance of this permit. Highlights of the staff's review are discussed below.

I. Wetland Resources:

The staff evaluated whether the proposed withdrawal of water would harm wetlands since there are wetlands near the wells. Section 9.4.3, A.H. provides that the issuance of a permit will be denied as inconsistent with the public interest if the permit would allow withdrawals of water that would cause an unmitigated adverse impact on an adjacent land use which existed at the time of permit application. Such adverse impacts include damage to crops, wetlands or other types of vegetation (section 9.4.3(c) A.H.). In addition, subsection 10.3(d), A.H. provides that the environmental harm caused by the consumptive use must be reduced to an acceptable amount in order for a use to be considered reasonable and beneficial.

In order to evaluate the impact to wetland resources, staff conducted an environmental evaluation of the wetland system and a ground water drawdown simulation. The ground water simulation indicated that the 2021 average daily withdrawals of ground water from the Floridan aquifer would cause a maximum drawdown of approximately 0.09 feet in the surficial aquifer. The staff's environmental evaluation of the surrounding wetlands determined that the system is upland xeric landscape and the wetlands are in excellent condition even under the present drought conditions. Based on the minor drawdown anticipated in the surficial aquifer and the environmental evaluation indicating a healthy wetland system, staff has determined that there will be no adverse impacts to wetlands as a result of this project's ground water withdrawals as limited by the recommended conditions of this permit.

II. Existing Legal Users:

The staff evaluated whether the proposed withdrawal of water would interfere with existing legal uses. Section 9.4.4, A.H. provides that the issuance of a permit will be denied as inconsistent with the public interest if the permit would allow withdrawals of water that would cause an interference with a legal use of water which existed at the time of permit application. Section 9.4.4, A.H., also provides that interference occurs when the withdrawal capability of any individual withdrawal facility of a presently existing legal use of water experiences a 10% or greater reduction in withdrawal capacity or when the existing legal user experiences economic, health, or other type of hardship as a result of the new use.

In order to evaluate the impact to existing legal uses, a residential well survey and a ground water drawdown simulation were conducted. The ground water simulation indicated that average daily withdrawals of ground water in the year 2021 is anticipated cause a maximum drawdown at the well site of approximately 0.50 feet in the Floridan aquifer. The residential well survey indicated that the nearest well is greater than 1000 feet from the production wells. Based on the minor drawdown anticipated in the Floridan aquifer as a result of ground water withdrawals, and since no residential wells are located within the anticipated 0.1 foot drawdown contour for the Winding Waters project, staff has determined that there will be no interference with existing legal uses as a result of withdrawals as limited by the recommended conditions of this permit.

Public Supply Description		Present	2021
Population Served:	740	1528	
Ave Day Use-gnd water-HT (MGALS):	0.058	0.116	GPCD
(average)-gnd water-HT:	78.9	76.2	Annual Use-gnd
water-HT (MGALS):	21.3	42.5	Annual Use-gnd water-WU
(MGALS): 0.7	1.313	Annual Use-gnd water-Total (MGALS):	
22.0	43.813		
Use Classification:		Household	
97%		Water Utility	3%

REUSE:

Sunshine Utilities of Central Florida, Inc does not operate a wastewater collection, treatment and disposal system. All residents use private septic tanks to dispose of wastewater.

WATER CONSERVATION:

The staff evaluated whether the proposed withdrawal of water by the Winding Waters project meets the requirements of reasonable beneficial use as required in section 12.2.5.1, of the Applicant's Handbook. Section 9.4.1, A.H. provides that the issuance of a permit will be denied unless the reasonable beneficial criteria has been met. The applicant has submitted documentation satisfying each of the requirements of section 12.2.5.1, A.H. In particular subsection 12.2.5.1.(a), A.H. requires a water audit which was performed by the applicant and indicated 3.0 % unaccounted for water. Since the unaccounted for water was less than 10%, the applicant is not required to perform the meter survey as outlined in subsection 12.2.5.1.(b), A.H., the meter replacement requirement as detailed in subsection 12.2.5.1.(d), A.H., or a leak detection survey as required in subsection 12.2.5.1.(c), A.H. Sunshine Utilities of Central Florida has implemented a customer and employee water conservation education program which includes 5 of the 9 elements required in 12.2.5.1.(e), A.H. The applicant has implemented a water conserving rate structure as required in subsection 12.2.5.1.(f), A.H. The applicant does not operate a reclaimed water system and the applicant is not required to submit a management plan designed to minimize the need for augmentation as required under subsection 12.2.5.1.(g), A.H. Sunshine Utilities of Central Florida, Inc. has submitted the following water conservation measures that were reviewed and approved by staff:

1. Water conservation public service announcements, including volunteer and mandatory watering restrictions, are posted.
2. Provide water conservation articles and/or reports to local news media.
3. Display water conservation posters and distribute literature.

4. Established a water audit customer assistance program addressing both indoor and outdoor water use.

PERMIT DURATION:

The applicant has requested a 20 year permit pursuant to subsection 373.236(1),F.S. The staff is recommending a permit duration of 20 years. Reasonable assurances have been provided that the water use, as limited by the proposed permit conditions, meets the requirement for permit issuance for the 20 year duration.

INTERESTED PARTIES: No
OBJECTORS: No

STATION INFORMATION:

SITE NAME: Winding Waters

Well Information:

Well No.	GRS Station No.	Casing Diameter (inches)	Well Depth (feet)	Status	Source
2	19899	8	225	Active	Floridan Aquifer
1	11180	8	247	Active	Floridan Aquifer

RECOMMENDATION: Approval

GENERAL CONDITIONS BY STAFF (FEBRUARY 12, 1999):

1, 2, 3, 4, 5, 6, 7, 8

OTHER CONDITIONS:

1. Maximum annual ground water withdrawals from the Floridan aquifer for water utility use must not exceed:
0.682 million gallons from September 2001 through September 2002,
0.706 million gallons from September 2002 through September 2003,
0.731 million gallons from September 2003 through September 2004,
0.756 million gallons from September 2004 through September 2005,
0.783 million gallons from September 2005 through September 2006,
0.811 million gallons from September 2006 through September 2007,
0.838 million gallons from September 2007 through September 2008,
0.868 million gallons from September 2008 through September 2009,
0.898 million gallons from September 2009 through September 2010,
0.930 million gallons from September 2010 through September 2011,
0.962 million gallons from September 2011 through September 2012
0.996 million gallons from September 2012 through September 2013,
1.031 million gallons from September 2013 through September 2014,
1.067 million gallons from September 2014 through September 2015,
1.105 million gallons from September 2015 through September 2016,
1.144 million gallons from September 2016 through September 2017,
1.185 million gallons from September 2017 through September 2018 ,

1.226 million gallons from September 2018 through September 2019,
1.269 million gallons from September 2019 through September 2020, and
1.313 million gallons from September 2020 through September 2021.

2. This permit will expire 20 years from the date of issuance.
3. Maximum total annual ground water withdrawal from the Floridan aquifer for all uses for the Winding Waters project must not exceed 43.813 million gallons.
4. Maximum annual ground water withdrawals from the Floridan aquifer for household use must not exceed:
 - 22.0 million gallons from September 2001 through September 2002,
 - 22.8 million gallons from September 2002 through September 2003,
 - 23.6 million gallons from September 2003 through September 2004,
 - 24.5 million gallons from September 2004 through September 2005,
 - 25.3 million gallons from September 2005 through September 2006,
 - 26.2 million gallons from September 2006 through September 2007,
 - 27.1 million gallons from September 2007 through September 2008,
 - 28.1 million gallons from September 2008 through September 2009,
 - 29.0 million gallons from September 2009 through September 2010,
 - 30.1 million gallons from September 2010 through September 2011,
 - 31.1 million gallons from September 2011 through September 2012
 - 32.2 million gallons from September 2012 through September 2013,
 - 33.4 million gallons from September 2013 through September 2014,
 - 34.5 million gallons from September 2014 through September 2015,
 - 35.7 million gallons from September 2015 through September 2016,
 - 37.0 million gallons from September 2016 through September 2017,
 - 38.3 million gallons from September 2017 through September 2018 ,
 - 39.6 million gallons from September 2018 through September 2019,
 - 41.0 million gallons from September 2019 through September 2020, and
 - 42.5 million gallons from September 2020 through September 2021.
5. All submittals made to demonstrate compliance with this permit must include the CUP number 3093 plainly labeled thereon.
6. Production wells 1 (GRS# 11180) and 2 (GRS# 19899), as listed on the application, must continue to use in-line totalizing flow meters to monitor water use. These flow meters must maintain 95% accuracy, be verifiable and be installed according to the manufacturer's specifications.
7. Total withdrawals from wells 1 (GRS# 11180) and 2 (GRS# 19899), as listed on the application, must be recorded continuously, totaled monthly, and reported to the District at least every six months from the initiation of the monitoring using District Form No. EN-50. The reporting dates each year will be as follows:

Reporting Period	Report Due Date
January - June	July 31
July - December	January 31
8. The permittee must maintain the flow meters. In case of failure or breakdown of any meter, the District must be notified in writing within 5 days of its discovery. A

defective meter must be repaired or replaced within 30 days of its discovery.

9. The permittee must have the flow meters checked for accuracy at least once every 3 years, within 30 days of the anniversary date of permit issuance, and recalibrated if the difference between the actual flow and any meter reading is greater than 5%. District Form No. EN-51 must be submitted to the District within 10 days of the inspection/calibration.

REVIEWER:

Andrew Mickle



CONSUMPTIVE USE PERMIT APPLICATION



St. Johns River Water Management District

4049 Reid Street • P.O. Box 1429 • Palatka, FL 32178-1429 • (386) 329-4500
Application forms may also be submitted electronically at *floridaswater.com*.

SECTION I – CONTACT INFORMATION

If necessary, attach additional sheets if there are multiple applicants, owners, agents, etc.

1. **APPLICANT** (Complete legal name in which permit should be issued)

NAME: **Sunshine Utilities of Central Florida, Inc**

If applicant is a business, provide a contact person: **Dewaine Christmas**

ADDRESS: **10230 E Hwy 25**

CITY, STATE, ZIP: **Bellevue FL 34420-5531**

PHONE: **(352) 347-8228** CELL PHONE: _____

EMAIL ADDRESS: **sunshineutl@aol.com**

Do you want all correspondence to be transmitted electronically to this email address? Yes No

Applicant is: Owner Lessee* Other (explain) _____

*Attach copy of current lease, or written authorization from property owner

2. **OWNER** (If different than applicant)

NAME: **CH Utility Holdings, LLC**

ADDRESS: **7620 SE 25th Ave**

CITY, STATE, ZIP: **Ocala FL 34480**

PHONE: **(352) 347-8228** CELL PHONE: _____

EMAIL ADDRESS: _____

3. **AGENT OR CONSULTANT** Address all correspondence to the person below? Yes No

NAME: _____

COMPANY NAME (if applicable): _____

ADDRESS: _____

CITY, STATE, ZIP: _____

PHONE: _____ CELL PHONE: _____

EMAIL ADDRESS: _____

4. **COMPLIANCE CONTACT** (Person responsible for ensuring that the permit conditions are met)

NAME: **Dewaine Christmas, Sunshine Utilities of Central Florida, Inc**

ADDRESS: **10230 E Hwy 25**

CITY, STATE, ZIP: **Bellevue FL 34420-5531**

PHONE: **(352) 347-8228** CELL PHONE: _____

EMAIL ADDRESS: **sunshineutl@aol.com**

SECTION II – APPLICATION INFORMATION

For permit application guidance, please refer to the Applicant's Handbook, Consumptive Uses of Water, which is incorporated by reference in Rule 40C-2.101(1)(a), F.A.C. (A.H.). Please complete all fields. Enter N/A for any fields that are not applicable.

1. **TYPE OF APPLICATION:** New Modification Renewal
 If this application is for a modification, please describe the modification request and the reason the modification is necessary. _____
2. **CONSUMPTIVE USE PERMIT NO.** (if application is for renewal or modification): 3093
3. **REQUESTED PERMIT DURATION:** 20 years _____ years (up to 20 years)
 This project qualifies for a duration greater than 20 years, per Section 373.236, F.S.
4. **PROJECT NAME:** Winding Waters **COUNTY:** Marion
PHYSICAL ADDRESS: _____
5. **RELATED PERMITS** (for projects other than Public Supply)
 ENVIRONMENTAL RESOURCE PERMIT: MSSW/ERP No(s): _____
 INDUSTRIAL WASTEWATER (IWW) PERMIT: IWW Permit No(s): _____
 NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT:
 NPDES Permit No(s): _____

SECTION III – USE TYPE CATEGORIES

Please check all applicable use categories associated with this application and complete the associated supplemental form(s) indicated. The **Minor Individual Supplemental Form** (Form No. 40C-2.900(2)) can be completed in lieu of Supplemental Forms A through G if all of the following criteria are met:

- Use is less than 100,000 gallons per day
- Withdrawal facilities (wells or pump intakes) are less than 8-inches diameter
- Combined withdrawal capacity is less than 1,000,000 gallons per day
- Use is not for Mining/Dewatering
- Use is for Public Supply where end users are not individually metered

Use Type Category	Supplemental Form
<input type="checkbox"/> Agricultural (e.g., crops, livestock, nursery, aquaculture, pasture)	Form A Form No. 40C-2.900(1)(a)
<input type="checkbox"/> Commercial / Industrial (e.g., service business, food and beverage production, cooling and heating, commercial attraction, manufacturing, chemical processing, power generation)	Form B Form No. 40C-2.900(1)(b)
<input type="checkbox"/> Landscape / Recreation (e.g., irrigation of parks, cemeteries, landscaped areas, golf courses, athletic fields, playgrounds)	Form C Form No. 40C-2.900(1)(c)
<input type="checkbox"/> Mining / Dewatering (e.g., water use or removal associated with construction or excavation)	Form D Form No. 40C-2.900(1)(d)
<input checked="" type="checkbox"/> Public Supply (e.g., public or privately owned potable water supply utility)	Form E Form No. 40C-2.900(1)(e)
<input type="checkbox"/> Environmental / Other (e.g., aquifer remediation, environmental enhancement, or the use of water for other purposes)	Form F Form No. 40C-2.900(1)(f)
<input type="checkbox"/> Institutional (e.g., hospital, university, military base, correctional facility)	Form G Form No. 40C-2.900(1)(g)

SECTION IV – SOURCES OF WATER
(please attach additional facility tables if necessary)

SUMMARY OF GROUNDWATER (WELL) FACILITIES

Site or Wellfield Name ¹	District ID (if available)	Florida Unique Well ID (if available)	Owner's Well Name	Capacity (gpm)	Pump Type ²	Casing Diameter (inches) ³	Casing Depth (feet)	Total Depth (feet)	Status ⁴ (include date if proposed)	Type of Water Use Accounting Method ⁵	Last Meter Check / Method Validation ⁶	Type of Water Use (refer to Section III)
Winding Waters	11180		1	520		8	177	247	Active	Flow Meter		Public Supply
Winding Waters	19899		2	340		8	147	225	Active	Flow Meter		Public Supply

- 1 If project consists of separate or non-contiguous pieces of property or wellfields
- 2 Centrifugal (impeller located above water level), submersible (pump set below water level), turbine (motor at ground surface that drives an impeller below water level), vacuum underdrain (typically used for dewatering), well point system (typically used for dewatering), or other (any pump that does not fall into one of the categories previously listed)
- 3 The casing diameter is defined as the largest permanent water-bearing casing of the well at land surface.
- 4 Active (currently in use), Inactive (capped, does not have power, or the connection to the water supply system has been severed), Abandoned (plugged and abandoned in accordance with 40C-3, Florida Administrative Code), or Proposed (include anticipated construction date)
- 5 Flow Meter, Time Clock / Pump Run Time, Hour Meter, Digital Electric Meter, Analog Electric Meter
- 6 Enter the date of the last flow meter accuracy check or alternative method validation

SUMMARY OF SURFACE WATER (PUMP) FACILITIES

Site Name ¹	District ID (if available)	Owner's Pump Name	Pump Capacity (gpm)	Pump Intake Diameter (inches)	Pump Type ²	Name of Surface Water Body	Type of Surface Water Body ³	Status ⁴ (include date if proposed)	Type of Water Use Accounting Method ⁵	Last Meter Check / Method Validation ⁶	Type of Water Use (refer to Section III)

- 1 If project consists of separate or non-contiguous pieces of property or wellfields
- 2 Centrifugal (impeller located above water level), submersible (pump set below water level), turbine (motor at ground surface that drives an impeller below water level), hydraulic dredge pump (typically used for mining), hydraulic dewatering pump (typically used for construction or mining), other (any pump that does not fall into one of the categories previously listed)
- 3 Ditch/canal, lake/pond (natural), lake/pond (artificial), river/creek, spring, mining/borrow pit
- 4 Active (currently in use), Inactive (does not have power, or the connection to the water supply system has been severed), Proposed
- 5 Flow Meter, Time Clock / Pump Run Time, Hour Meter, Digital Electric Meter, Analog Electric Meter
- 6 Enter the date of the last flow meter accuracy check or alternative method validation

SUMMARY OF CONNECTION POINT FACILITIES

Connection points include locations where potable or non-potable water (including reclaimed water) purchased from a water supplier enters a project site.

Site Name ¹	District ID (if available)	Owner's Connection Point Name	Water Supplier Name ²	Type of Surface Water Body ³	Status ⁴ (include date if proposed)	Type of Water Use Accounting Method ⁵	Last Meter Check / Method Validation ⁶	Type of Water Use (refer to Section III)

- 1 If project consists of separate or non-contiguous pieces of property or wellfields
- 2 Name of water supplier that provides water to the project through the connection point
- 3 Reclaimed water holding pond, stormwater management system
- 4 Active (currently in use), Inactive (the connection to the water supply system has been severed), Proposed
- 5 Flow Meter, Time Clock / Pump Run Time, Hour Meter, Digital Electric Meter, Analog Electric Meter
- 6 Enter the date of the last flow meter accuracy check or alternative method validation

**SECTION V –
USE OF LOWEST QUALITY WATER AND EVALUATION OF RECLAIMED WATER FEASIBILITY**

The applicant may be required to evaluate the feasibility of utilizing reclaimed water and/or other lower quality water sources. The feasibility analysis must be completed as outlined in Section 2.3.3(e), A.H.

SECTION VI – SUMMARY OF REQUESTED WATER USE

Summarize the requested water use from each supplemental form (Agricultural, Public Supply, Commercial / Industrial, etc.) in the table below. Provide projections for each source, at five-year intervals, for the requested permit duration. If the requested permit duration exceeds 20 years, please attach a supplemental sheet providing additional five-year projections for each source.

Year	Requested Amounts and Source(s) of Water				Total Requested Water Use (mgy)
	Upper Floridan (mgy ²)	(mgy)	(mgy)	(mgy)	
Other/Unknown	37.3				37.3
2026 - 2031	37.3				37.3
2031 - 2036	37.3				37.3
2036 - 2041	37.3				37.3

¹ Provide the name of the water source. Examples include upper Floridan aquifer, stormwater pond, surficial aquifer, Davis Lake.

² Million gallons per year

SECTION VII – AQUIFER STORAGE AND RECOVERY *(complete if applicable)*

ASR Facility Name	Source of Stored Water ¹	Storage Aquifer Name	Recovery Water Destination	Projected Demand Average (mgy)	Projected Demand Maximum (mgy)	Projected Injected Average (mgy)	Projected Injected Maximum (mgy)

¹ Aquifer name, surface water body, water treatment plant name.

Please describe any projected increases or decreases (from historical average) in the amounts stored or recovered.

SECTION VIII – IMPACT EVALUATION

When determining whether the permit applicant has provided reasonable assurances that the conditions for issuance in Rule 40C-2.301, F.A.C., are met, the District will consider the projected impacts of the proposed consumptive use on an individual and cumulative basis. In order to provide reasonable assurance, studies and/or impact evaluations may be required. Please refer to the Applicant’s Handbook for guidance regarding the impact evaluations and attach analyses, if applicable.

SECTION IX – APPLICANT CERTIFICATION

I certify that to the best of my knowledge and belief, all of the information provided on this form and in any attachment to it is correct. I also certify that I have legal authority to execute this application for the applicant and certify that the applicant will have sufficient legal authority to undertake the activities described herein. I understand that any material false statement in an application to continue, initiate, or modify a use, or any material false statement in any report or statement of fact required of the permittee, may result in revocation, in whole or in part, of the permit (Section 373.243(1), F.S.). With advance notice, I agree to provide St. Johns River Water Management District staff, with proper identification, entry to the project site for the purpose of performing analyses of the site for determining whether the conditions for issuance will be met. Further, if a permit is granted, I agree that, with advance notice, District staff with proper identification shall have permission to enter, inspect, collect samples, and take measurements of permitted facilities to determine compliance with the permit conditions and permitted plans and specifications.

(If applicable) I authorize _____ to act as my agent for permit application coordination.

Dewaine Christmas

APPLICANT’S NAME
(print or type)

Dewaine Christmas

APPLICANT’S SIGNATURE

28-OCT-21

DATE

AUTHORIZED AGENT’S NAME
(print or type)

AUTHORIZED AGENT’S SIGNATURE

DATE

When an application that will be considered by the District’s Governing Board is complete, the applicant will be notified of the date of the hearing (Governing Board meeting) at which the application will be considered at least 14 days in advance. The Governing Board normally meets on the second Tuesday of the month.

SECTION X – APPLICANT CHECKLIST

The following items must be included with the permit application submittal:

- Proof of Property Control (e.g., deed, lease), if not already on file with the District
- Application Fee (refer to online fee schedule or Applicant’s Handbook)
- Location/Site Map
- Supplemental Form(s) and associated supporting information (e.g., maps, calculations)
- Water Conservation Plan

Additional Addresses

Applicant	
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Land Owner	
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Agent	
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Compliance Contact	
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Consultant	
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Water Use Reporting (EN-50) Contact	Dewaine Christmas Sunshine Utilities of Central Florida, Inc 10230 E Hwy 25
--	---

	Belleview FL 34420-5531
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Attorney	
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